

# \*\*\*AMENDED AGENDA \*\*\*Bellevue City Council Meeting

Tuesday, July 16, 2019 6:00 PM

Bellevue City Hall

1500 Wall Street

Bellevue, NE 68005

1. PLEDGE OF ALLEGIANCE
2. INVOCATION - Senior Pastor Hubbert, First Baptist Church, Bellevue.
3. CALL TO ORDER AND ROLL CALL
4. OPEN MEETINGS ACT - Posted in the Entry to the Council Chambers
5. APPROVAL OF AGENDA, CONSENT AGENDA, CLAIMS, AND ADVISORY COMMITTEE REPORTS:
  - a. Approval of Agenda
  - b. Approval of Consent Agenda *(Items marked with an (\*) are approved where this item is, unless otherwise removed)*
    1. \* Approval of the Minutes from the July 2, 2019, City Council Meeting
6. \* APPROVAL OF CLAIMS
7. ORGANIZATIONAL MATTERS:
  - a. \* Approval of re-appointment of Dr. Tony Yonkers and Dr. Jeffrey Akerson to the Board of Health for 4-year terms (Mayor Hike)
8. SPECIAL PRESENTATIONS: None
9. APPROVED CITIZEN COMMUNICATION: None
10. LIQUOR LICENSES:
  - a. Recommendation to approve a Special Designated Liquor License for The Crook Inc., dba Mixers Pub and Grub, 910 Fort Crook Road South, for a parking lot party, on Saturday, August 24, 2019 from 11:00 a.m. to 10:00 p.m. (City Clerk)
  - b. Recommendation to approve a Special Designated Liquor License for The Fairview Golf Company Inc. at the John Mueller Administrative Services Building, 812 Bruin Blvd., Bellevue University, on Saturday, August 3, 2019 from 5:00 p.m. to 11:00 p.m. for the Bellevue University Banquet. (City Clerk)
11. ORDINANCES FOR ADOPTION (3rd reading): None
12. ORDINANCES FOR PUBLIC HEARING (2nd reading):
  - a. Ordinance No. 3951: Request to rezone Lot 1, Wood Replat from RS-72 to RD-60 to allow for construction of a duplex. Applicant: Paul Pignotti. Location: 7801 South 30th Street. (Planning Director)
  - b. Ordinance No. 3952: Request to amend Section 5.20 of the Bellevue Zoning Ordinance regarding the permitted number of full-time practitioners in a medical clinic in the BN Neighborhood Business District. Applicant: City of Bellevue Planning Department (at the request of the Planning Commission. (Planning Director)  
*(Requesting the waiver of third reading, hold public hearing, and vote at this meeting).*
  - c. Ordinance No. 3953: Increase in Pay for the Mayor and City Council Members. (Councilman Shannon)
13. ORDINANCES FOR INTRODUCTION (1st reading): None
14. PUBLIC HEARING ON MATTERS OTHER THAN ORDINANCES:

a. Recommendation to approve Event Application for Kevin Power to host his 5th Annual Private Charity Event, to raise donations for the Bellevue Food Pantry, at his home, 108 Fox Meadow Court, on Saturday, July 27, 2019 from 7 p.m. to 11:00 p.m., with live music and to waive the \$50 Event Fee. (City Clerk)

b. Public Hearing on an Event License Application of Freedom Running Company for a Half Marathon, 5k, and 10k to raise funds for the "War on Terror Memorial March" on September 7, 2019 using American Heroes Park, City streets, surrounding areas, and the Base from 6:00 a.m. to 12:00 p.m. (City Clerk)

c. Public Hearing on the Appeal of the Sidewalk Waiver Denial at 3636 Edna Street. Applicant: Troy Gaines. (City Clerk/Public Works Director)

15. RESOLUTIONS:

a. \*Resolution No. 2019-20: Approval of the 2019 CDBG Action Plan and Authorize the Mayor to sign the SF-424 and Certifications. (Finance Director)

b. Approve Resolution No. 2019-21 and authorize the Mayor to sign the First Amendment to the April 2, 2019 Interlocal Agreement which adds the City of Bellevue into the Interlocal Agreement between Sarpy County, Papillion, La Vista, and Bellevue for Special Weapons and Tactics Team and Crisis Negotiations (Police Chief)  
*(This item may be considered for Closed Session)*

c. Resolution No. 2019-22: Request City Council to give notice to the property owner (s) at 13204 South 35th Street to repair the sidewalk adjacent to the property, according to the City of Bellevue's specifications. (Public Works)

16. CURRENT BUSINESS:

a. \*Approve a temporary easement located in Tax Lot 18A2 and Tax Lot 18A1B2B, located in the Northeast 1/4 of Section 5, T13N, R13E of the 6th P.M. Sarpy County, Nebraska. (Public Works)

b. \*Approve a permanent drainage easement located in Tax Lot 18A2 and Tax Lot 18A1B2B, located in the Northeast 1/4 of Section 5, T13N, R13E of the 6th P.M., Sarpy County, Nebraska. (Public Works)

c. \*Approving the movement of the August 6, 2019 meeting from 6:00 p.m. to 5:00 p.m., so the City Council Members may attend National Night Out events. (City Administrator)

17. ADMINISTRATION REPORTS: Comments must be limited to items on the current Reports

18. CLOSED SESSION:

19. ADJOURNMENT

# MINUTE RECORD

\*5b1.  
7/16/19

Bellevue City Council Meeting, July 2, 2019, Page 1

A meeting of the Mayor and Council of the City of Bellevue was called to order by Mayor Rusty Hike at the Bellevue City Hall on the 2<sup>nd</sup> day of July, 2019, at 6:00 p.m. Present were Council Members Bob Stinson, Paul Cook, Pat Shannon, Don Preister, Thomas Burns, and Kathy Welch.

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 and Invocation**

Mayor Hike led in the Pledge of Allegiance. Pastor Joseph Gastineau, Revival Tabernacle Church, 2226 Jefferson Street gave the invocation.

## **Open Meetings Act**

Mayor Hike 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 Shannon, seconded by Burns, to approve the agenda. Roll call vote on the motion was as follows: Stinson, Cook, Shannon, Preister, Burns, and Welch voted yes; voting no: none. Motion carried.

## **Approval of the Consent Agenda**

Councilman Cook requested Item 10b, recommendation to approve a Special Designated Liquor License for R & J Enterprise, Inc., dba Jammers Pub at 1505 Galvin Road South, for a beer garden during their Annual Luau, on Saturday, July 27, 2019 from 2:00 p.m. to 2:00 a.m., be removed from the consent agenda.

Councilman Shannon requested Item 15b, Resolution No. 2019-19: Recommendation to approve the selection of BKD LLP. to perform audit services for the fiscal years ending 2019-2023, contract price for fiscal year ending 2019 will be \$5,500 less than 2018 audit, be removed from the consent agenda.

**Motion** was made by Preister, seconded by Welch to approve the amended consent agenda which included the following: approval of the Minutes from the June 18, 2019, City Council meeting; acknowledgement of June 20, 2019 Planning Commission Minutes; approval of the Claims; Resolution No. 2019-18 - request to amend the Master Fee Schedule to update the Papio Creek Watershed Partnership (PCWP) and the Southern Sarpy Watershed Partnership (SSWP); approve and authorize the Mayor to sign the NE Transportation Assistance Agreement with NDOT to accept month reimbursement funds for expenses associated with operating the Specialized Transportation Service up to \$147,703 for Fiscal Year 19/20; acceptance of the Maintenance Contract for the VirTra Simulator. Federal Forfeiture Money will pay for this item using existing fund balance \$12,520.20; approve purchase of a Server for the Cyber Crimes Lab; approve the Independent Contractor Agreement renewal for CDBG Consulting Contract; and approval of revision to policy resolution 31 of the City Council Policies to comply with Nebraska Revised Statutes 13-2203 regarding expenditures of city funds for meals and beverages. Roll call vote on the motion was as follows: Stinson, Cook, Shannon, Preister, Burns, and Welch voted yes; voting no: none. Motion carried.

**ORGANIZATIONAL MATTERS:** None.

## **APPROVED CITIZEN COMMUNICATION:**

### **Request to remove the alarm registration fee requirement per Ordinance No. 3238. (Kyle Rhone)**

Mr. Kyle Rhone was present to address his concerns on the unfair tax applied to the registration fee for alarm systems. He stated the billing company, PM/AM, is located in Colorado Springs. Mr. Rhone advised the community of Colorado Springs is benefiting from the revenue generated from taxes, not the City of Bellevue. Statistics were provided by Mr. Rhone regarding the number of owners of alarm systems and payment policies. Mr. Rhone paid the required registration fee of \$25.00 to Mr. Jim Ristow, City Administrator.

Mayor Hike thanked Mr. Rhone for his concerns. He advised him the issue is being addressed.

Mr. Ristow explained ProPhoenix will be available on line which will localize the majority of the billing. Chief Mark Elbert advised he is hoping the program will be available in a year.

**Motion** was made by Shannon, seconded by Preister, to open this item for Public Hearing. Roll call vote on the motion was as follows: Stinson, Cook, Shannon, Preister, Burns, and Welch voted yes; voting no: none. Motion carried

Mr. Jim Moudry commented the fee should only be upon registration and should not be an annual reregistration fee.

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

Councilman Shannon stated he has protested this ordinance in the past and is looking forward to the change with ProPhoenix.

# MINUTE RECORD

Bellevue City Council Meeting, July 2, 2019, Page 2

## **LIQUOR LICENSES:**

**Recommendation to approve the application of Margaritas LLC., dba "Los Tapatios Mexican Bar and Grill" for a Class "C" liquor license to sell beer, wine, and distilled spirits, on and off sale, at 3905 Twin Creek Drive, Bellevue and for David Valadez as Manager. (City Clerk)**

David Valadez was present to answer any questions.

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

**Motion** was made by Cook, seconded by Stinson, to recommend approval of the application of Margaritas LLC., dba "Los Tapatios Mexican Bar and Grill" for a Class "C" liquor license to sell beer, wine, and distilled spirits, at 3905 Twin Creek Drive, Bellevue and for David Valadez as Manager. Roll call vote on the motion was as follows: Stinson, Cook, Shannon, Preister, Burns, and Welch voted yes; voting no: none. Motion carried.

**Recommendation to approve a Special Designated Liquor License for R and J Enterprise, Inc., dba "Jammers Pub" at 1505 Galvin Road South, for a beer garden during their Annual Luau, on Saturday, July 27, 2019 from 2:00 p.m. to 2:00 a.m. (City Clerk)**

Councilman Cook explained the reason he pulled this item from consent was in order to have a Public Hearing.

Rick Corbin was present to answer any questions.

Councilman Shannon stated he is the owner of the property where Jammers Pub is located.

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

**Motion** was made by Cook, seconded by Shannon, to recommend approval of the Special Designated Liquor License for R and J Enterprise, Inc., dba "Jammers Pub" at 1505 Galvin Road South for a beer garden during their Annual Luau, on Saturday, July 27, 2019 from 2:00 p.m. – 2:00 a.m. Roll call vote on the motion was as follows: Stinson, Cook, Shannon, Preister, Burns, and Welch voted yes; voting no: none. Motion carried.

**Ordinances for Adoption: (Third reading)** None

**Ordinances for Public Hearing: (Second Reading)** None.

**Ordinances for Introduction: (First Reading)**

**Ordinance No. 3951: Request to rezone Lot 1, Wood Replat from RS-72 to RD-60 to allow for construction of a duplex. Applicant: Paul Pignotti. Location: 7801 South 30th Street. (Planning Director)**

Ordinance No. 3951, an ordinance to amend the official zoning map of the City of Bellevue, Nebraska, as provided by Article 3 of Ordinance No. 3619 by changing the zone classification of land located at or about 7801 South 30<sup>th</sup> Street, more particularly described in Section 1 of this Ordinance and to provide an effective date, was read by title only for the first time and scheduled for public hearing at the Council meeting on July 16<sup>th</sup>.

**Ordinance No. 3952: Request to amend Section 5.20 of the Bellevue Zoning Ordinance regarding the permitted number of full-time practitioners in a medical clinic in the BN Neighborhood Business district. Applicant City of Bellevue Planning Department (at the request of the Planning Commission). (Planning Director)**

Ordinance No. 3952, an ordinance to amend Section 5.20, Ordinance No. 3619, Bellevue Zoning Ordinance, relating to permitted uses in the BN Neighborhood Business district; to repeal such Section 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 first time and scheduled for public hearing at the Council meeting on July 16<sup>th</sup>.

**Ordinance No. 3953, an ordinance for an Increase in Pay for the Mayor and City Council Members. (Councilman Shannon)**

Ordinance No. 3953, an ordinance to amend the salary and compensation of the Mayor and City Council of the City of Bellevue, Nebraska; to repeal Ordinance No. 3843 and to declare an effective date, was read by title only for the first time and scheduled for public hearing at the Council meeting on July 16<sup>th</sup>.



# MINUTE RECORD

Bellevue City Council Meeting, July 2, 2019, Page 3

## **PUBLIC HEARINGS ON MATTERS OTHER THAN ORDINANCES:**

### **Public Hearing for Draft 2019-2023 Consolidated Plan and Action Plan, \$355,531 in 2019 CDBG entitlement allocation and \$125,000.81 in reallocated fund from previous allocations. (Finance Director)**

Mrs. Abby Highland, CDBG Program Administrator, advised this item refers to the five-year consolidated plan, which includes the one-year action plan. The five-year plan outlines the goals and priorities which will be achieved with CDBG money over the next five years. The one-year action plan outlines the proposed funding recommendation for the entitlement money for 2019/2020. Funds are allocated through an application process. The CDBG committee reviews the applications and conducts interviews before the funding recommendation is prepared.

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

Mr. Frederick commented on the CDBG position.

Mr. Moudry requested clarification on why request for demolition assistance from the flooding was not received. Mrs. Highland explained the properties were not eligible due to ownership of the property. She advised there is also a timing issue with funds. The funds will not be available until December 2019, with agreements signed in January 2020.

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

Councilman Cook requested clarification if there is an order to the list of priorities. Mrs. Highland explained the difference between the high and low priority projects. Discussion followed.

Councilman Cook requested clarification on the Housing Foundation of Sarpy County.

Ms. Carolyn Pospisil explained the Housing Foundation of Sarpy County is the non-profit affiliate to the Public Housing Authority. Discussion followed.

Councilman Preister thanks the CDBG committee and Mrs. Highland for the work and dedication on the CDBG projects.

Mayor Hike announced the Resolution will be on agenda of the July 16, 2019 City Council Meeting.

### **Public Hearing to approve an Event License for Victory Riding Academy to host a free event offering horse rides, games, food, and entertainment to honor military and first responders and their families at Hastings Banner Park on Saturday, September 21, 2019 from 10:00 a.m. to 2:00 p.m. (set up on September 20 and 21) with rain date September 22, 2019. (City Clerk)**

Tony Barnes, Victory Riding Academy was present to answer any questions.

Mayor Hike opened the meeting to a public hearing to give opportunity for individuals to speak in favor of or in opposition to the application. With no one coming forward to speak in support of or in opposition to the application. Mayor Hike declared the public hearing closed.

**Motion** was made by Preister, seconded by Shannon, to approve an Event License for Victory Riding Academy to host a free event offering horse rides, games, food, and entertainment to honor military and first responders and their families at Hasting Banner Park on Saturday, September 21, 2019 from 10:00 a.m. to 2:00 p.m. (set up on September 20 and 21) with rain date September 22, 2019. Roll call vote on the motion was as follows: Stinson, Cook, Shannon, Preister, Burns, and Welch voted yes; voting no: none. Motion carried.

## **RESOLUTIONS:**

### **Resolution No. 2019-19: Recommendation to approve the selection of BKD LLP., to perform audit services for the fiscal years ending 2019-2023, contract price for fiscal year ending in 2019 will be \$5,500 less than 2018 audit. (Audit Committee)**

**Motion** made by Shannon, seconded by Welch to approve the selection of BKD LLP., to perform audit services for the fiscal years ending 2019-2023, contract price for fiscal year ending in 2019 will be \$5,500 less than 2018 audit.

**Motion** made by Shannon, seconded by Cook, to amend the contract with BKD, LLP to allow for a three-year rotation of the engagement executive.

Mr. Rich Severson, Finance Director, explained there has been rotation in the past and the language for rotation can be added to this agreement.

Ms. Amy Shreck, representative with BKD, LLP, advised the rotation can be added. She requested clarification from the Council how often they would like the rotation be. Councilman Shannon questioned what she would recommend. Ms. Shreck recommended three years.

# MINUTE RECORD

Bellevue City Council Meeting, July 2, 2019, Page 4

Councilwoman Welch inquired how long BKD has been the City's auditor. Ms. Shreck replied since 2006. Conversation ensued.

Councilman Shannon explained the decision to retain BKD is the responsibility of the Audit Committee. The Council's job is to approve the agreement.

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

**Motion** made by Shannon, seconded by Welch, to approve Resolution 2019-19: Professional Services Agreement, as amended. Roll call vote on the motion was as follows: Stinson, Cook, Shannon, Preister, Burns, and Welch voted yes; voting no: none. Motion carried.

## **CURRENT BUSINESS:**

**Request approval of the Agreement and authorize the Mayor to sign the Agreement between the City of Bellevue and Alfred Benesch and Company for the Alternatives Evaluation of Fort Crook Road and Harlan Drive. (Formerly Highway 370) project not to exceed \$22,000. (Public Works)**

**Motion** made by Burns, seconded by Welch, to approve the Agreement and authorize the Mayor to sign the Agreement between the City of Bellevue and Alfred Benesch and Company for the Alternatives Evaluation of Fort Crook Road and Harlan Drive. (Formerly Highway 370) project not to exceed \$22,000. Roll call vote on the motion was as follows: Stinson, Cook, Shannon, Preister, Burns, and Welch voted yes; voting no: none. Motion carried.

**Request approval and authorize the Mayor to sign the proposal from KenBrooke Roofing, Inc., for \$88,889 for the exterior renovation of the First Presbyterian Church. (Public Works)**

**Motion** made by Burns, seconded by Preister, to approve and authorize the Mayor to sign the proposal from KenBrooke Roofing, Inc., for \$88,889 for the exterior renovation of the First Presbyterian Church. Roll call vote on the motion was as follows: Stinson, Cook, Shannon, Preister, Burns, and Welch voted yes; voting no: none. Motion carried.

**Approve and authorize the Mayor to sign a letter of intent outlining intentions of parties, including the City of Bellevue regarding certain real estate in which the city is interested in. (City Attorney)**

**Motion** was made by Cook, seconded by Welch, to adjourn into closed session, for the protection of the public interest, at 6:48 p.m. regarding certain real estate in which the city is interested in. Roll call vote on the motion was as follows: Stinson, Cook, Shannon, Preister, Burns and Welch voted yes; voting no: none. Motion carried.

The following individuals were asked to participate in closed session: City Administrator Jim Ristow, Mayor Rusty Hike, City Council Members, Attorney Bree Robbins, Para-legal Tahnee King, Public Works Director Jeff Roberts, and Finance Director Rich Severson.

**Motion** was made by Stinson, seconded by Shannon, to come out of closed session at 7:07 p.m.

Councilwoman Welch declared a conflict and abstained from voting, Councilwoman Welch left the Council Chambers at 7:08 p.m.

**Motion** was made by Stinson, seconded by Shannon, to approve and authorize the Mayor to sign a letter of intent outlining intentions of parties, including the City of Bellevue regarding certain real estate in which the city is interested in. Roll call vote on the motion was as follows: Stinson, Cook, Shannon, Preister, and Burns voted yes. Councilwoman Welch abstained; voting no: none. Motion carried.

Councilwoman Welch returned to Council Chambers at 7:09 p.m.

**Approve and authorize the Mayor to sign a settlement agreement regarding liens on a property located within the City of Bellevue. (City Attorney)**

**Motion** was made by Cook, seconded by Stinson, to adjourn into closed session, for the protection of the public interest, at 7:11 p.m. regarding a settlement agreement regarding liens on a property located within the City of Bellevue. Roll call vote on the motion was as follows: Stinson, Cook, Shannon, Preister, Burns and Welch voted yes; voting no: none. Motion carried.

The following individuals were asked to participate in closed session: City Administrator Jim Ristow, Mayor Rusty Hike, City Council Members, Attorney Bree Robbins, Para-legal Tahnee King, and Finance Director Rich Severson.

**Motion** was made by Welch, seconded by Burns, to come out of closed session at 7:27 p.m.

**Motion** was made by Welch, seconded by Burns, to approve and authorize the Mayor to sign a settlement agreement regarding liens on a property located within the City of Bellevue. Roll call vote on the motion was as follows: Stinson, Cook, Shannon, Preister, Burns and Welch voted yes; voting no: none. Motion carried.

# MINUTE RECORD

Bellevue City Council Meeting, July 2, 2019, Page 5

## **ADMINISTRATION REPORTS:**

Mayor Hike asked if there were any questions/comments for the City Administrator, Councilmembers or any of the Directors on the report presented. There were no questions or comments.

## **CLOSED SESSION:**

**Motion** was made by Cook, seconded by Stinson, to adjourn into closed session, for the protection of the public interest, at 7:32 p.m. regarding personal matters and operations. Roll call vote on the motion was as follows: Stinson, Cook, Shannon, Preister, Burns and Welch voted yes; voting no: none. Motion carried.

The following individuals were included in closed session: City Administrator Jim Ristow, Mayor Rusty Hike, City Council Members, Attorney Bree Robbins, Para-legal Tahnee King, Chief Make Elbert, Captain David Stukenholtz, and Zeb Simones.

**Motion** was made by Shannon, seconded by Welch, to come out of closed session at 9:05 p.m. Roll call vote on the motion was as follows: Stinson, Cook, Shannon, Preister, Burns and Welch voted yes; voting no: none. Motion carried.

## **ADJOURNMENT:**

There being no further business to come before the Council at this time, on motion by Shannon, seconded by Welch. Roll call vote on the motion was as follows: Stinson, Cook, Shannon, Preister, Burns, and Welch voted yes; voting no: none. At 9:06 p.m. the meeting adjourned.

  
Susan Kluthe, City Clerk

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Rusty Hike, Mayor

I, the undersigned, City Clerk of the City of Bellevue, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Council on July 2, 2019; 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.

  
City Clerk



# MINUTE RECORD

6.  
7/16/19

## CLAIMS FOR JULY 16, 2019

PAGE 1

### MAYOR

CENTURY LINK	MONTHLY SERVICE-2019-6-22	13.74
VIRGIN VALLEY CAB, LAS VEGAS	CPS-CAB FARE FOR CONFERENCE	32.26
WESTGATE LV RESORTS AND CASINO	CPS-LODGING FOR CONFERENCE	115.62
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		\$ 161.62

### CITY ADMINISTRATOR

CAPITAL BUSINESS SYSTEMS, INC	COPIER EXPENSE	52.81
CENTURY LINK	MONTHLY SERVICE-2019-6-22	27.47
EMPLOYEE BENEFITS SYSTEM	HEALTH INSURANCE-JUL 2019	2,109.96
METLIFE DIVISION 1	DENTAL INSURANCE-JUL 2019	62.26
METLIFE DIVISION 2	LIFE INSURANCE-JUL 2019	27.00
METLIFE DIVISION 2	LTD INSURANCE-JUL 2019	38.83
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES	117.49
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		\$ 2,435.82

### CITY COUNCIL

BELLEVUE CHAMBER OF COMMERCE	USSTRACOM LUNCHEON-SHANNON	25.00
METLIFE DIVISION 1	DENTAL INSURANCE-JUL 2019	145.69
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		\$ 170.69

### LEGAL SERVICES

EMPLOYEE BENEFITS SYSTEM	HEALTH INSURANCE-JUL 2019	3,109.92
ICE MILLER	PROFESSIONAL SVCS-POLICE RETIREMENT PLAN UPDATES-MAY, JUN 2019	24,951.49
J P COOKE COMPANY	NAME PLATE FOR CHAMBER	44.55
METLIFE DIVISION 1	DENTAL INSURANCE-JUL 2019	62.26
METLIFE DIVISION 2	LIFE INSURANCE-JUL 2019	26.38
METLIFE DIVISION 2	LTD INSURANCE-JUL 2019	42.22
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		\$ 28,236.82

### CABLE ADVISORY

CENTURY LINK	MONTHLY SERVICE-2019-6-22	9.16
EMPLOYEE BENEFITS SYSTEM	HEALTH INSURANCE-JUL 2019	3,857.20
METLIFE DIVISION 1	DENTAL INSURANCE-JUL 2019	62.26
METLIFE DIVISION 2	LIFE INSURANCE-JUL 2019	23.08
METLIFE DIVISION 2	LTD INSURANCE-JUL 2019	29.75
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		\$ 3,981.45

### CITY CLERK

557TH WEATHER WING TOP III	REFUND FIREWORKS DEPOSIT	1,000.00
BAREBACKS AND BELLS	REFUND FIREWORKS DEPOSIT	1,000.00
BELLEVUE CHRISTIAN CENTER	REFUND FIREWORKS DEPOSIT	1,000.00
BELLEVUE EAST BAND BOOSTERS	REFUND FIREWORKS DEPOSIT	1,000.00
BELLEVUE LITTLE THEATRE	REFUND FIREWORKS DEPOSIT	1,000.00
BELLEVUE OFFUTT KIWANIS CLUB	REFUND FIREWORKS DEPOSIT	1,000.00
BELLEVUE ROD & GUN CLUB	REFUND FIREWORKS DEPOSIT	1,000.00
BELLEVUE SOCCER CLUB	REFUND FIREWORKS DEPOSIT	1,000.00
BELLEVUE UNIVERSITY ATHLETICS	REFUND FIREWORKS DEPOSIT	1,000.00
BELLEVUE UNIVERSITY FOUNDATION	REFUND FIREWORKS DEPOSIT	1,000.00
BELLEVUE WEST BAND BOOSTER	REFUND FIREWORKS DEPOSIT	1,000.00
BETHEL CHRISTIAN UNITED PENTECOSTAL	REFUND FIREWORKS DEPOSIT	1,000.00

# MINUTE RECORD

## CLAIMS FOR JULY 16, 2019

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### CITY CLERK (cont'd)

BRYAN HIGH SCHOOL COACHES ASSOCIATION	REFUND FIREWORKS DEPOSIT	1,000.00
CENTURY LINK	MONTHLY SERVICE-2019-6-22	13.74
CORNERSTONE CHRISTIAN SCHOOL	REFUND FIREWORKS DEPOSIT	1,000.00
DANIEL J. GROSS CATHOLIC HIGH SCHOOL	REFUND FIREWORKS DEPOSIT	1,000.00
EMPLOYEE BENEFITS SYSTEM	HEALTH INSURANCE-JUL 2019	3,924.31
HABITAT FOR HUMANITY OF SARPY COUNTY	REFUND FIREWORKS DEPOSIT	1,000.00
METLIFE DIVISION 1	DENTAL INSURANCE-JUL 2019	62.26
METLIFE DIVISION 2	LIFE INSURANCE-JUL 2019	18.84
METLIFE DIVISION 2	LTD INSURANCE-JUL 2019	23.67
RAVEN HAVEN RECONNAISSANCE	REFUND FIREWORKS DEPOSIT	1,000.00
SAINT MARY'S CATHOLIC SCHOOL	REFUND FIREWORKS DEPOSIT	1,000.00
SARPY CO REGISTER OF DEEDS	ORDINANCE	22.00
SPIRIT LIFE ASSEMBLY OF GOD CHURCH	REFUND FIREWORKS DEPOSIT	1,000.00
VETERANS SUPPORT ASSOCIATION, INC	REFUND FIREWORKS DEPOSIT	1,000.00
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		\$ 24,064.82

### FINANCE/RISK MANAGEMENT

ACCUPRINT LASER SERVICES	MIC TONER CARTRIDGE	184.95
AMAZON.COM, LLC	CPS-RENEW AMAZON MEMBERSHIP	119.00
CAPITAL BUSINESS SYSTEMS, INC	COPIER EXPENSE	57.80
CENTURY LINK	MONTHLY SERVICE-2019-6-22	68.46
EMPLOYEE BENEFITS SYSTEM	HEALTH INSURANCE-JUL 2019	8,205.31
GOVERNMENT FINANCE OFFICERS ASSOCIATION	CPS-RENEW MEMBERSHIP	50.00
INDOFF	OFFICE SUPPLIES	269.99
INFOSAFE SHREDDING	SHREDDING SERVICE	30.00
LOGAN CONTRACTORS SUPPLY	OVERFOOT BOOTS, WHITE CURE, KNEE PADS, SHOES	230.89
METLIFE DIVISION 1	DENTAL INSURANCE-JUL 2019	93.39
METLIFE DIVISION 2	LIFE INSURANCE-JUL 2019	68.36
METLIFE DIVISION 2	LTD INSURANCE-JUL 2019	101.69
THE CURE	COOLING TOWELS	359.64
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		\$ 9,839.48

### LIBRARY

BAUDVILLE, INC	CUSTOM LANYARDS	238.87
CENGAGE LEARNING, INC	BOOKS	83.97
CENTURY LINK	MONTHLY SERVICE-2019-6-22	45.79
COX BUSINESS SERVICES	MONTHLY SERVICE-2019-6-22	107.39
CRYSTAL ANDERSON	REIMB FOR LOCAL MILEAGE	36.30
DEBORAH ADY	REIMB FOR NLA REGISTRATION	205.00
EMPLOYEE BENEFITS SYSTEM	HEALTH INSURANCE-JUL 2019	6,359.57
INDOFF	OFFICE SUPPLIES	262.02
INGRAM LIBRARY SERVICES	BOOKS	1,842.11
J P COOKE COMPANY	NOTARY STAMP-WHITEHEAD	44.05
MARCO TECHNOLOGIES, LLC	COPIER EXPENSE	638.86
MENARDS	CLEAR VINYL SAUCERS	7.84
METLIFE DIVISION 1	DENTAL INSURANCE-JUL 2019	249.04
METLIFE DIVISION 2	LIFE INSURANCE-JUL 2019	66.21
METLIFE DIVISION 2	LTD INSURANCE-JUL 2019	83.08
METROPOLITAN UTILITIES DIST	MONTHLY SERVICE-2019-7-3	131.26

# MINUTE RECORD

## CLAIMS FOR JULY 16, 2019

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### LIBRARY (cont'd)

MICHELLE BULLOCK	REIMBURSE FOR PHOTO PROCESSING	108.75
MIDLANDS PRINTING	BUSINESS CARDS	106.00
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE-2019-6-25	1,989.58
STAPLES ADVANTAGE	OFFICE SUPPLIES	111.67
		<hr/>
		\$ 12,717.36

### ADMINISTRATION SERVICES

BAUDVILLE, INC	CERTIFICATES AND COVERS	129.95
CENTURY LINK	MONTHLY SERVICE-2019-6-22	68.68
EMPLOYEE BENEFITS SYSTEM	HEALTH INSURANCE-JUL 2019	10,800.78
INFOSAFE SHREDDING	SHREDDING SERVICE	30.00
MATRIX BUSINESS SYSTEMS	COPIER EXPENSE	90.39
METLIFE DIVISION 1	DENTAL INSURANCE-JUL 2019	280.17
METLIFE DIVISION 2	LIFE INSURANCE-JUL 2019	89.18
METLIFE DIVISION 2	LTD INSURANCE-JUL 2019	109.14
ONE SOURCE	BACKGROUND CHECKS	116.00
SHRM NEBRASKA STATE COUNCIL	CPS-2019 HR CONFERENCE-DECKER, RABBASS	618.00
SHRM NEBRASKA STATE COUNCIL	CPS-TRAINING-DECKER	40.00
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES	2,130.73
		<hr/>
		\$ 14,503.02

### PUBLIC WORKS

A&D TECHNICAL SUPPLY CO	CPS-PLOTTER SUPPLIES	558.47
A&D TECHNICAL SUPPLY CO	PLOTTER SUPPLIES	457.71
CENTURY LINK	MONTHLY SERVICE-2019-6-22	54.95
EMPLOYEE BENEFITS SYSTEM	HEALTH INSURANCE-JUL 2019	6,148.52
HUGHES MULCH PRODUCTS	MULCH	1,000.00
INDOFF	OFFICE SUPPLIES	216.54
MATRIX BUSINESS SYSTEMS	COPIER EXPENSE	168.81
METLIFE DIVISION 1	DENTAL INSURANCE-JUL 2019	155.65
METLIFE DIVISION 2	LIFE INSURANCE-JUL 2019	66.25
METLIFE DIVISION 2	LTD INSURANCE-JUL 2019	96.37
MNJ TECHNOLOGIES PUBLIC SECTOR	IPAD CASES	192.00
NEBRASKA IOWA SUPPLY CO	DIESEL FUEL	3,620.52
ONE CALL CONCEPTS	DIGGERS HOTLINE MONTHLY LOCATES	780.82
SAM'S CLUB DIRECT	SUPPLIES	20.16
ULINE	CPS-SUPPLIES	172.15
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES	142.73
		<hr/>
		\$ 13,851.65

### PARKS

ALEXANDER LAWN & LANDSCAPE, INC	MOWING-CYCLE 4	9,146.90
AQUA-CHEM	POOL CHEMICALS	756.86
A-RELIEF SERVICES	PORTABLE RESTROOMS-CITY PARKS	765.00
CENTURY LINK	MONTHLY SERVICE-2019-6-22	41.21
COX BUSINESS SERVICES	MONTHLY SERVICE-2019-6-22	363.42
DULTMEIER SALES LLC	RELIEF VALVE	27.00



# MINUTE RECORD

## CLAIMS FOR JULY 16, 2019

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### PARKS (cont'd)

EMPLOYEE BENEFITS SYSTEM	HEALTH INSURANCE-JUL 2019	10,451.82
GRAINGER	GLOVES, WRENCH	264.21
HUGHES MULCH PRODUCTS	MULCH	1,600.00
MENARDS	KNIFE TOOL, SUPPLIES	42.94
METLIFE DIVISION 1	DENTAL INSURANCE-JUL 2019	311.30
METLIFE DIVISION 2	LIFE INSURANCE-JUL 2019	97.81
METLIFE DIVISION 2	LTD INSURANCE-JUL 2019	111.60
METROPOLITAN UTILITIES DIST	MONTHLY SERVICE-2019-7-3	836.16
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE-2019-6-25	3,592.95
PAPILLION SANITATION	EMPTY CODE DUMPSTERS	1,715.36
PRECISE MRM LLC	POOLED DATA	19.01
READY MIXED CONCRETE COMPANY	CONCRETE	528.88
SITEONE LANDSCAPE SUPPLY	SPRAYER PISTON	92.05
STOLTENBERG NURSERIES	TREES FOR ISLAND	645.00
UNITED RENTALS (NORTH AMERICA), INC	LIGHT TOWER RENTAL	528.72
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES	5,751.07
WALKERS UNIFORM RENTAL	UNIFORM SERVICE	6.71
WESTLAKE ACE HARDWARE	SCREWDRIVER, GAS CAN	26.68
		<b>\$ 37,722.66</b>

### RECREATION

BELLEVUE EAST ATHLETIC DEPT	YOUTH SPORTS CAMP	2,937.00
BONNIE LUTTKUS	REFUND SWIMMING LESSON FEE	35.00
BRIAN HIATT	REFUND POOL PARTY DEPOSIT, SWIMMING LESSON FEE	170.00
CAPITAL BUSINESS SYSTEMS, INC	NEW COPIER C5550i	2,926.00
CENTURY LINK	MONTHLY SERVICE-2019-6-22	59.53
CHRISTINA HOULDEN	REFUND SWIMMING LESSON FEE	35.00
CORINNE SALIGA	REFUND SWIMMING LESSON FEE	70.00
COX BUSINESS SERVICES	MONTHLY SERVICE-2019-6-22	88.39
CRYSTAL SVACINA	REFUND TENNIS LESSON FEE	40.00
DILLONS CUSTOMER CHARGES	CONCESSION SUPPLIES	281.46
EMPLOYEE BENEFITS SYSTEM	HEALTH INSURANCE-JUL 2019	2,109.96
ESWEIDY SOTO	REFUND DEPOSIT FOR REED CENTER RENTAL	375.00
INDOFF	OFFICE SUPPLIES	23.96
JO DON'S	BASEBALL BANNER	104.00
LUCY COOK	REFUND TENNIS LESSON FEE	20.00
MATRIX BUSINESS SYSTEMS	COPIER EXPENSE	18.20
METLIFE DIVISION 1	DENTAL INSURANCE-JUL 2019	62.26
METLIFE DIVISION 2	LIFE INSURANCE-JUL 2019	24.34
METLIFE DIVISION 2	LTD INSURANCE-JUL 2019	31.28
MIDWEST IMPRESSIONS	GUARDS T-SHIRTS, UMPIRE SHIRTS	1,262.40
ODEYS FIELD EXPERTS	LINESTRIPE WHITE PAINT	184.00
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES	534.73
		<b>\$ 11,392.51</b>

### BUILDING MAINTENANCE

AQUA-CHEM	CHEMICALS FOR POOLS	2,439.79
CENTURY LINK	MONTHLY SERVICE-2019-6-22	4.58
CODY PEST MANAGEMENT	PEST CONTROL	67.00
DAY ELECTRIC SERVICE, INC	NEW SERVICE TO POLE, REPAIR AT EVERETT	4,792.92
	SPLASH PAD	
EMPLOYEE BENEFITS SYSTEM	HEALTH INSURANCE-JUL 2019	8,083.14

# MINUTE RECORD

## CLAIMS FOR JULY 16, 2019

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### BUILDING MAINTENANCE (cont'd)

FIRE PROTECTION SERVICES, LLC	SEMI-ANNUAL FIRE ALARM INSPECTIONS	2,583.25
GALVIN GLASS	FLAG GLASS REPAIR	28.50
HILLYARD	JANITORIAL SUPPLIES	39.12
HUGHES MULCH PRODUCTS	MULCH	1,600.00
INTERSTATE INDUSTRIAL SERVICE	CERTIFY AND CALIBRATE BACKFLOW GAUGE	255.00
JACKSON SERVICES, INC	DOOR MAT SERVICE-CITY BLDGS	208.33
KB BUILDING SERVICES	JANITORIAL SERVICES-JUL 2019-CITY BLDGS	10,708.50
KEN BROOKE ROOFING, INC	REPAIR ROOF, GUTTERS-LOG CABIN	13,050.00
MENARDS	PVC ELBOW, LUMBER, MULCH, LADDER, WEED KILLER, POTTING MIX, SUPPLIES	967.73
METLIFE DIVISION 1	DENTAL INSURANCE-JUL 2019	217.91
METLIFE DIVISION 2	LIFE INSURANCE-JUL 2019	61.86
METLIFE DIVISION 2	LTD INSURANCE-JUL 2019	70.25
METROPOLITAN UTILITIES DIST	MONTHLY SERVICE-2019-7-3	557.76
O'KEEFE ELEVATOR COMPANY	ELEVATOR MAINTENANCE	446.98
OMAHA DOOR & WINDOW COMPANY	POOL DOOR REPAIRS	213.50
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE-2019-6-25	1,899.04
ROCHESTER MIDLAND CORPORATION	WATER ENERGY TEAM BILLING	280.00
THE HOME DEPOT PRO-SUPPLY WORKS	JANITORIAL SUPPLIES	1,541.07
TRICO MECHANICAL SERVICES	SERVICE LABOR-DIST IV	77.75
WESTLAKE ACE HARDWARE	MULCH, SEAL, VALVE, TOOLS, SUPPLIES	393.31
		<b>\$ 50,587.29</b>

### CEMETERY

AMERICAN CEMETERY SUPPLIES, INC	FLAG HOLDERS AND MARKERS	107.44
BELLEVUE PRINTING COMPANY	RECEIPT BOOKS FOR CEMETERY	175.00
CENTURY LINK	MONTHLY SERVICE-2019-6-22	4.58
COX BUSINESS SERVICES	MONTHLY SERVICE-2019-6-22	83.39
EMPLOYEE BENEFITS SYSTEM	HEALTH INSURANCE-JUL 2019	1,506.62
METLIFE DIVISION 1	DENTAL INSURANCE-JUL 2019	62.26
METLIFE DIVISION 2	LIFE INSURANCE-JUL 2019	17.74
METLIFE DIVISION 2	LTD INSURANCE-JUL 2019	22.06
METROPOLITAN UTILITIES DIST	MONTHLY SERVICE-2019-7-3	90.07
NEW COM TECHNOLOGIES	LICENSE RENEWAL	650.00
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE-2019-6-25	274.91
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES	209.43
		<b>\$ 3,203.50</b>

### STREETS

ASPHALT & CONCRETE MATERIALS	ASPHALT	320.69
CARHARTT, INC	CPS-UNIFORM REPLACEMENTS RELATED TO FLOOD FOR 6 EMPLOYEES	728.28
CARHARTT, INC	CPS-NEW UNIFORM ISSUE	304.86
CARROLL CONSTRUCTION SUPPLY	NAIL STAKES, WOOD STAKES	271.69
CENTURY LINK	MONTHLY SERVICE-2019-6-22	41.21
COX BUSINESS SERVICES	MONTHLY SERVICE-2019-6-22	274.17
EMPLOYEE BENEFITS SYSTEM	HEALTH INSURANCE-JUL 2019	40,212.78

# MINUTE RECORD

## CLAIMS FOR JULY 16, 2019

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### STREETS (cont'd)

FELSBURG HOLT & ULLEVIG, INC	CORNHUSKER RD TRAFFIC TIMING	12,900.80
INDEPENDENT SALT CO	DE-ICING SALT	8,907.69
LOGAN CONTRACTORS SUPPLY	WHITE CURE, SHOES, KNEE PADS	9.62
MARTIN PRODUCTS SALES, LLC	BULK OIL	684.50
MENARDS	LUMBER, WOOD STAKES, KNEE PADS	224.33
METLIFE DIVISION 1	DENTAL INSURANCE-JUL 2019	902.77
METLIFE DIVISION 2	LIFE INSURANCE-JUL 2019	271.45
METLIFE DIVISION 2	LTD INSURANCE-JUL 2019	319.54
METROPOLITAN UTILITIES DIST	MONTHLY SERVICE-2019-7-3	237.89
MICHAEL TODD & COMPANY	STREET STENCILS	189.00
MOBOTREX	12 CHANNEL CONFLICT MONITOR	3,948.00
NEBRASKA AIR FILTER	FILTERS	303.80
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE-2019-6-25	76,946.16
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE-2019-6-25-SID'S	11,640.76
OMNI	ASPHALT	2,642.62
PRECISE MRM LLC	POOLED DATA, ACCESS FEE-JUL/OCT 2019	6,893.12
READY MIXED CONCRETE COMPANY	CONCRETE	25,650.69
ROGER WITKOVSKI	REIMB FOR SIGNAL POLE FLASHER	77.11
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES	3,664.85
WALKERS UNIFORM RENTAL	UNIFORM SERVICE	6.71
WESTLAKE ACE HARDWARE	GLUE, SUPPLIES	24.03
WILBUR ELLIS	WEED CONTROL	1,606.50
		<b>\$ 200,205.62</b>

### FLEET MAINTENANCE

AUTO VALUE PARTS - SOUTH OMAHA	ACS RRR MACHINE FOR NEW VEHICLES, WIPER MOTOR	5,368.26
AUTOMOTIVE WAREHOUSE DIST, INC	PARTS	1,531.78
BAXTER CHRYSLER DODGE JEEP	FAN SHROUD, MOTORS, RADIATOR HOSE	460.76
BAXTER FORD	FUEL CAP, CAP ASSEMBLY	99.18
CAPITAL BUSINESS SYSTEMS, INC	COPIER EXPENSE	31.84
CENTURY LINK	MONTHLY SERVICE-2019-6-22	32.05
CORNHUSKER INTERNATIONAL TRUCKS	EXHAUST CLAMPS, HEATER CLAMPS, TURBO CHARGER, EGR COOLER KITS	5,018.01
COX BUSINESS SERVICES	MONTHLY SERVICE-2019-6-22	107.39
DULTMEIER SALES LLC	IMPELLER KIT	68.49
EASTWOOD	CPS-REPLACEMENT AIR JET	43.48
EMPLOYEE BENEFITS SYSTEM	HEALTH INSURANCE-JUL 2019	19,510.81
FACTORY MOTOR PARTS CO	BRAKE CALIPERS, ACCUMULATOR ASSEMBLY, DUST SHIELD, VALVE	347.36
FARM PLAN	PARTS, VALVE, SPROCKETS, BEARINGS, AXLE KIT	332.08
INDOFF	OFFICE SUPPLIES	77.15
INTERSTATE BATTERIES	BATTERIES	775.60
J & J SMALL ENGINE SERVICE	THROTTLE LEVER	7.98
JONES AUOMOTIVE	SPEAKER DRIVER	452.41
KRIHA FLUID POWER CO	FITTINGS	22.14
LOGAN CONTRACTORS SUPPLY	LINE FILTER, AIR TUBE W-BELT	481.41
MAGNETIC MICS.COM	CPS-MAGNETIC MICS	734.80
MATHESON TRI-GAS INC	WELDING SUPPLIES	594.63
MENARDS	SUPPLIES, TARP, FLAP DISCS, GLOVES	118.70

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## CLAIMS FOR JULY 16, 2019

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### FLEET MAINTENANCE (cont'd)

METLIFE DIVISION 1	DENTAL INSURANCE-JUL 2019	466.95
METLIFE DIVISION 2	LIFE INSURANCE-JUL 2019	145.54
METLIFE DIVISION 2	LTD INSURANCE-JUL 2019	182.32
METROPOLITAN UTILITIES DIST	MONTHLY SERVICE-2019-7-3	121.34
MICHAEL TODD & COMPANY	LOG CHAIN, WELD-ON-RINGS	537.44
MIDLANDS AUTO REPAIR	ALIGNMENT	70.00
MPH INDUSTRIES	RADAR REPAIR	382.80
MRO SUPPLY	CPS-PUMP FOR SO SHOP	833.94
NAPA AUTO PARTS	OZZY JUICE, MIRROR, FILTERS, SEALS, SOLENOID, CLAMPS, PARTS	775.90
NEBRASKA ENVIRONMENTAL PRODUCTS	LIGHTS FOR TRUCK 21	250.32
NEBRASKA IOWA INDUSTRIAL FASTENERS	DRILL BITS, WASHERS, FITTINGS, YOKE ENDS	197.02
NEOTERIC INC	CPS-SKIRT SYSTEM FRONT SEGMENT	424.15
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE-2019-6-25	1,168.68
O'REILLY AUTOMOTIVE PARTS	TIE ROD	52.72
P&M HARDWARE	PULLEYS, BELTS AND MOUNTS, IGLOO COOLER	412.04
ROGER'S TOWING	TOW CHARGE	80.00
SEAGRAVES FIRE APPARATUS, LLC	SPRINGS FOR ENG 21, BOLTS	1,444.46
SUSPENSION SHOP	SPRINGS, U-BOLTS	705.76
TOOL SHED	CUT OFF WHEELS	79.75
TRUCK CENTER COMPANIES	RELAY	45.36
TURFWERKS	WHEELS, OIL FILTERS	388.71
UPS STORE	FREIGHT FOR RADAR REPAIR	15.75
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES	497.88
WALKERS UNIFORM RENTAL	UNIFORM SERVICE	38.70
WATCHGUARD VIDEO	POWER OVER ETHERNET ASSEMBLY	40.00
WAYTEK, INC	CPS-SPLIT FUSE BOX, PARTS	1,286.02
WELDON PARTS INC	MUD FLAPS	80.88
WESTLAKE ACE HARDWARE	TAP PLUG, TRANSPONDER KEY	85.98
		<b>\$ 47,026.72</b>

### PLANNING

AMERICAN PLANNING ASSOCIATION	RENEW MEMBERSHIP-PALM	263.00
CENTURY LINK	MONTHLY SERVICE-2019-6-22	13.74
EMPLOYEE BENEFITS SYSTEM	HEALTH INSURANCE-JUL 2019	3,109.92
MARCO TECHNOLOGIES, LLC	COPIER EXPENSE	390.22
METLIFE DIVISION 1	DENTAL INSURANCE-JUL 2019	62.26
METLIFE DIVISION 2	LIFE INSURANCE-JUL 2019	28.89
METLIFE DIVISION 2	LTD INSURANCE-JUL 2019	37.99
PAPIO MISSOURI RIVER NRD	SO SARPY WATERSHED PARTNERSHIP FEE	18,980.00
PAPIO MISSOURI RIVER NRD	PAPILLION CREEK WATERSHED FEE	71,556.00
		<b>\$ 94,442.02</b>

### PERMITS & INSPECTIONS

CENTURY LINK	MONTHLY SERVICE-2019-6-22	22.89
EMPLOYEE BENEFITS SYSTEM	HEALTH INSURANCE-JUL 2019	13,320.66
IDEAL PURE WATER COMPANY	BOTTLED WATER	19.50
METLIFE DIVISION 1	DENTAL INSURANCE-JUL 2019	249.04
METLIFE DIVISION 2	LIFE INSURANCE-JUL 2019	82.27
METLIFE DIVISION 2	LTD INSURANCE-JUL 2019	103.83
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES	687.09
		<b>\$ 14,485.28</b>

# MINUTE RECORD

CLAIMS FOR JULY 16, 2019

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**POLICE/CODE ENFORCEMENT**

ANTHONY ORSI	REIMB FOR GAS AND PER DIEM FOR TRAINING	538.85
ARKANSAS' FLAG AND BANNER	CPS-INDOOR FLAGS	1,198.31
AUTO BODY AUTHORITY	TOW CHARGE	80.00
BELLEVUE FORT CROOK, LLC	K9 BUILDING RENT-AUG 2019	1,200.00
CAPITAL BUSINESS SYSTEMS, INC	COPIER EXPENSE	233.68
CDWG GOVERNMENT	COMPUTER SUPPLIES	517.68
CELLEBRITE USA CORP	RENEW FORENSIC SOFTWARE	3,700.00
CENTURY LINK	MONTHLY SERVICE-2019-6-22	434.77
CHEROKEE PRODUCTIONS INC	CPS-TRAINING-BEES	295.00
CHRISTOPHER LEWIS ABBOTT	REIMB LODGING FOR HONOR GUARD DUTY	119.00
CIOX - HEALTHPORT	REPORTS FOR INVESTIGATIONS	23.55
COLLISION FORENSIC SOLUTIONS	INSTRUCTOR FOR COLLISION FORENSICS	6,000.00
COX BUSINESS SERVICES	MONTHLY SERVICE-2019-6-22	83.39
CULLIGAN OF OMAHA	BOTTLED WATER	249.55
DIGITAL INTELLIGENCE, INC	FORENSIC LAPTOP	5,752.14
EMILY CHASE	REIMB PER DIEM FOR TRAINING	340.50
EMPLOYEE BENEFITS SYSTEM	HEALTH INSURANCE-JUL 2019	133,555.39
GREAT PLAINS UNIFORMS	UNIFORM SHIRT, TACTICAL VEST	730.50
HAWTHORN SUITES	CPS-LODGING-LAMPMAN	386.52
HOWARD BANKS	REIMB PER DIEM FOR TRAINING	380.43
ICPC MIDWEST REGIONAL TRAINING	CPS-TRAINING-CARGILE, CHAPLAIN	315.00
INDOFF	OFFICE SUPPLIES	122.58
INFOSAFE SHREDDING	SHREDDING SERVICE	180.00
JAMES P BARTLEY	REIMB FOR PETSAFE COLLAR, RUBBER MAT	194.86
LAW ENFORCEMENT SEMINARS	CPS-TRAINING-KOLBE, MEYERS	700.00
LINDSEY BETSWORTH	REIMB LODGING FOR HONOR GUARD DUTY	119.00
MATRIX BUSINESS SYSTEMS	COPIER EXPENSE	488.86
MENARDS	SCREWDRIVER SET, AUTO SPRAY	35.51
METLIFE DIVISION 1	DENTAL INSURANCE-JUL 2019	3,528.84
METLIFE DIVISION 2	LIFE INSURANCE-JUL 2019	870.69
METLIFE DIVISION 2	LTD INSURANCE-JUL 2019	1,666.87
OPEN TEXT, INC	SOFTWARE FOR FORENSICS	2,086.90
SARPY COUNTY TREASURER (FISCAL ADMINISTRATION)	IT SERVICES-JUL-SEP 2019	6,291.29
SOUTHERN CARLSON, INC	SERVICE CALL	90.00
SOUTHWEST AIRLINES	CPS-AIR FARE-GREINER	283.00
SPRINT CORPORATE SECURITY	SUBPEONA CHARGE	100.00
SUNSET LAW ENFORCEMENT, LTD	AMMO FOR TRAINING	13,079.20
THE RAMSEY HOTEL	CPS-LODGING-BANKS, ORSI	1,481.70
TRI-TECH FORENSICS, INC	EVIDENCE SUPPLIES	322.97
U.S. CELLULAR	MONTHLY SERVICE-2019-6-10	123.24
ULRICH K. R. HOWELL	REIMB PER DIEM FOR TRAINING	178.50
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES	13,329.90
VERIZON	MONTHLY SERVICE-2019-6-23	240.06
ZWOO ENTERPRISES	CPS-AIRSOFT RIFLE GUNS	579.92
		<b>\$ 202,228.15</b>

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## CLAIMS FOR JULY 16, 2019

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### FIRE & RESCUE

AIRGAS USA, LLC	MEDICAL SUPPLIES	169.51
ARROW INTERNATIONAL	MEDICAL SUPPLIES	2,660.00
BOUND TREE MEDICAL, LLC	MEDICAL SUPPLIES	1,211.32
CENTURY LINK	MONTHLY SERVICE-2019-6-22	119.05
COX BUSINESS SERVICES	MONTHLY SERVICE-2019-6-22	576.95
EC DATA SYSTEMS, INC	CPS-SHARE OF FAX SERVER	7.95
EMPLOYEE BENEFITS SYSTEM	HEALTH INSURANCE-JUL 2019	65,943.49
GREAT PLAINS UNIFORMS	TACTICAL POLOS	163.50
MENARDS	PIPE, BUSHINGS, ELBOWS, COUPLINGS	78.49
METLIFE DIVISION 1	DENTAL INSURANCE-JUL 2019	1,930.06
METLIFE DIVISION 2	LIFE INSURANCE-JUL 2019	495.18
METLIFE DIVISION 2	LTD INSURANCE-JUL 2019	766.50
METROPOLITAN UTILITIES DIST	MONTHLY SERVICE-2019-7-3	658.40
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE-2019-6-25	6,568.05
SARPY COUNTY TREASURER (FISCAL ADMINISTRATION)	IT SERVICES-JUL-SEP 2019	2,476.49
STRYKER SALES CORPORATION	MEDICAL SUPPLIES	215.90
U.S. CELLULAR	MONTHLY SERVICE-2019-6-10	478.96
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES	6,240.97
WESTLAKE ACE HARDWARE	FLOOR FAN, EXTENSION CORD, KEYS	138.82
		<b>\$ 90,899.59</b>

### NON-DEPARTMENTAL/CONTRACTS

CENTURY LINK	MONTHLY SERVICE-2019-6-19	579.63
CORE BANK	SID 147 WARRANTS -BLACKHAWK	400,390.25
COX BUSINESS SERVICES	MONTHLY SERVICE-2019-6-22	430.81
METRO AREA TRANSIT	MAT SERVICE-MAY 2019	3,213.00
NEBRASKA.GOV	SWIPE DEVICE FOR CREDIT CARDS	257.85
SARPY COUNTY COURT HOUSE	ANIMAL CONTROL-AUG 2019	13,133.40
SCOTT WELCH	CPS-MONTHLY WEB DESIGN	125.00
		<b>\$ 418,129.94</b>

### INFORMATION TECHNOLOGY

ACCESS	BACKUP STORAGE TAPES-REMAINDER OF TERM	8,503.02
CONVERGEONE, INC	EXTREME SOFTWARE FOR IT	5,746.01
HOSTGATOR.COM	CPS-MONTHLY DOMAIN FEE	59.95
MOTOROLA SOLUTIONS, INC	EARPIECES	401.10
SARPY COUNTY TREASURER (FISCAL ADMINISTRATION)	IT SERVICES-JUL-SEP 2019	22,096.22
TJ CABLE	LOCATES FOR IT	400.00
WESTLAKE ACE HARDWARE	KEYS	12.45
		<b>\$ 37,218.75</b>

### WASTEWATER

CAPITAL BUSINESS SYSTEMS, INC	COPIER EXPENSE	17.34
CENTURY LINK	MONTHLY SERVICE-2019-6-22	52.83
CITY OF OMAHA	SEWER FEES-MAR 2019	479,500.93
COX BUSINESS SERVICES	MONTHLY SERVICE-2019-6-22	83.39
EMPLOYEE BENEFITS SYSTEM	HEALTH INSURANCE-JUL 2019	8,716.18
GENERAL FIRE & SAFETY CO	GAS DETECTION AND CALIBRATION	347.00
HAUXWELL PUMP & SUPPLY	TSURUMI CUTTER PUMP	2,741.00
HOA SOLUTIONS, INC	PUMP AMPERAGE ADDITION	2,823.00

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## CLAIMS FOR JULY 16, 2019

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### WASTEWATER (cont'd)

J & J SMALL ENGINE SERVICE	V BELT, IDLER	175.51
LINCOLN WINWATER WORKS CO	MANHOLE RISERS	1,450.00
MATRIX BUSINESS SYSTEMS	COPIER EXPENSE	54.44
MENARDS	DEHUMIDIFIER FOR PARADISE LAKES, MEETING SUPPLIES, VACUUM CLEANER	726.28
METLIFE DIVISION 1	DENTAL INSURANCE-JUL 2019	342.43
METLIFE DIVISION 2	LIFE INSURANCE-JUL 2019	95.29
METLIFE DIVISION 2	LTD INSURANCE-JUL 2019	114.00
MUNICIPAL SERVICE & SUPPLY	REBUILD KIT, SEALS	893.43
NMC GROUP, INC	TRASH PUMP RENTAL, DISCHARGE HOSE FOR TRASH PUMP	11,825.33
OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE-2019-6-25	3,465.24
OMAHA WINWATER WORKS COMPANY	RING COVER, MARKING PAINT	1,868.46
US BANK VOYAGER FLEET SYSTEMS	FUEL FOR CITY VEHICLES	4,878.48
		<hr/>
		\$ 520,170.56

### COMMUNITY BETTERMENT

OMAHA PUBLIC POWER DISTRICT	MONTHLY SERVICE-2019-6-25	100.32
		<hr/>
		\$ 100.32

### COMMUNITY DEVELOPMENT

ABBY HIGHLAND	CDBG CONSULTANT SERVICE-MAY 2019	3,968.25
		<hr/>
		\$ 3,968.25

### FEDERAL FORFEITURES

VERIZON WIRELESS	MONTHLY SERVICE-2019-6-21	682.74
		<hr/>
		\$ 682.74

### G.O. BONDS

CHASE NYC BANK	BOND PAYMENT	1,430,500.61
FREMONT NATIONAL BANK	BOND PAYMENT	838,070.00
BANK OF OKLAHOMA	BOND PAYMENT	239,260.00
AMERICAN NATIONAL BANK	BOND PAYMENT FEE	120.00
		<hr/>
		\$ 2,507,950.61

**TOTAL CLAIMS FOR JULY 16, 2019** **\$4,350,377.24**

**TOTAL PAYROLL FOR JUNE 28, 2019** **\$ 963,184.34**



## Shirley Harbin

---

**From:** Yonkers, Anthony J <ayonkers@unmc.edu>  
**Sent:** Thursday, July 11, 2019 5:07 PM  
**To:** Shirley Harbin  
**Subject:** Re: Reappointment to the Board of Health

Thank you for the reappointment.

Sent from my iPhone

On Jul 11, 2019, at 2:54 PM, Shirley Harbin <[Shirley.Harbin@bellevue.net](mailto:Shirley.Harbin@bellevue.net)> wrote:

Non-UNMC email

Dr. Yonkers,

Per our phone conversation this afternoon, please reply all to this email requesting Mayor Hike to reappoint you to the Board of Health.

Should you have any further questions you may reach me at (402) 293-3165.

Best Regards,

**Shirley R. Harbin**  
**Deputy City Clerk**  
**City of Bellevue**  
**1500 Wall Street**  
**Bellevue, NE 68005**  
**Wk: (402) 293-3165**  
**Fax: (402) 293-3068**

The information in this e-mail may be privileged and confidential, intended only for the use of the addressee(s) above. Any unauthorized use or disclosure of this information is prohibited. If you have received this e-mail by mistake, please delete it and immediately contact the sender.

## Shirley Harbin

---

**From:** Akerson, Jeffrey D <jefakerson@nebraskamed.com>  
**Sent:** Monday, July 15, 2019 1:24 PM  
**To:** Shirley Harbin  
**Subject:** Board of Health

I would be honored to be reappointed to the Board of Health for Bellevue.  
Respectfully,

Jeff Akerson, MD

**Jeffrey Akerson, MD**

**Deputy Chief Medical Officer**

Physician, Nebraska Medicine Primary Care - Bellevue



**SERIOUS MEDICINE. EXTRAORDINARY CARE.™**

**Nebraska Medicine - Bellevue**

2500 Bellevue Medical Center Drive

Bellevue, NE 68123

Phone: 402-763-3709

Cell: 402-889-0437

Fax: 402-763-3195

e-mail [jefakerson@nebraskamed.com](mailto:jefakerson@nebraskamed.com)

Assistant: Cynthia Catron

Phone: 402-763-3700

e-mail: [ccatron@nebraskamed.com](mailto:ccatron@nebraskamed.com)

### Nebraska Medicine E-mail Confidentiality Disclaimer

The information in this e-mail may be privileged and confidential, intended only for the use of the addressee(s) above. Any unauthorized use or disclosure of this information is prohibited. If you have received this e-mail by mistake, please delete it and immediately contact the sender.

CITY OF BELLEVUE, NEBRASKA  
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE:	07/16/2019	AGENDA ITEM TYPE:
		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 for an Special Designated Liquor License for The Crook Inc. August 24, 2019

SYNOPSIS:

Recommend approval of The Crook Inc., dba Mixers Pub and Grub, for a Special Designated Liquor License at 910 For Crook Road South, on Saturday, August 24, 2019 from 11:00 a.m. to 10:00 p.m. for a parking lot party.

FISCAL IMPACT:

One Day License Fee - \$40.00.

BUDGETED ITEM: ☐ YES ☐ NO

PROJECT # & TRACKING INFORMATION:

--

RECOMMENDATION:

To recommend approval of The Crook Inc., dba Mixers Pub and Grub, for a Special Designated Liquor License at 910 For Crook Road South, on Saturday, August 24, 2019 from 11:00 a.m. to 10:00 p.m. for a parking lot party.

BACKGROUND:

Special Designated Liquor License (SDL). Applications are turned in directly to the City Clerk's Office. They are reviewed by the Police, submitted to the City Council for review and recommendation, and then forwarded to the Nebraska Liquor Control Commission for issuance. (if there are no issues).

ATTACHMENTS:

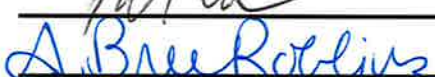
1	Application for SDL	4	
2	Police Report	5	
3		6	

SIGNATURES:

ADMINISTRATOR APPROVAL:

FINANCE APPROVAL:

LEGAL APPROVAL:

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

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

the crook inc. DBA Mixers Puand Grub

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

910 fort crook road south, Bellevue, NE 68005

Retail Liquor License Address or Non-Profit Business Address

122483

Retail License Number or Non-Profit Federal ID #

Consecutive Dates only 08/24/19

Event Date(s): \_\_\_\_\_

Event Start Time(s): 11am \_\_\_\_\_

Event End Time(s): 10pm \_\_\_\_\_

Alternate Date: \_\_\_\_\_

Alternate Location Building & Address: \_\_\_\_\_

Event Building Name: mixers \_\_\_\_\_

Event Street Address/City: 910 fort crook road south, Bellevue, NE \_\_\_\_\_

Indoor area to be licensed in length & width: \_\_\_\_\_ X \_\_\_\_\_

Outdoor area to be licensed in length & width: 135 X 135 (Diagram Form #109 must be attached)

Type of Event: parking lot party \_\_\_\_\_ Estimate # of attendees: 100

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

Event Contact Name: Daris Peterson \_\_\_\_\_ Event Contact Phone Number: 402-960-1911

Event Contact Email: darispeterson@gmail.com \_\_\_\_\_

\*Signature Authorized Representative:  Printed Name Daris Peterson

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

\*Retail licensee – Must be signed by a member listed on permanent license

\*Non-Profit Organization – Must be signed by a Corporate Officer

**Local Governing Body completes below:**

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

\_\_\_\_\_  
Local Governing Body Authorized Signature

\_\_\_\_\_  
Date

**APPLICATION FOR A  
SPECIAL DESIGNATED LIQUOR LICENSE**

**POLICE REPORT**

DATE OF COUNCIL MEETING: 7.16.19 Due to City Clerk: 7.10.19  
APPLICANT: The Crook Inc., dba "Mixers Pub & Grub"

LOCATION/ADDRESS: 910 Fort Crook Road South, Bellevue 68005

REQUESTED ACTION: Approval to recommend approving a Special Designated Liquor License for The Crook Inc., dba "Mixers Pub & Grub, at 910 Fort Crook Road South, for a parking lot party, on Saturday, August 24, 2019, from 11:00 a.m. to 10:00 p.m.

**COMMENTS:**

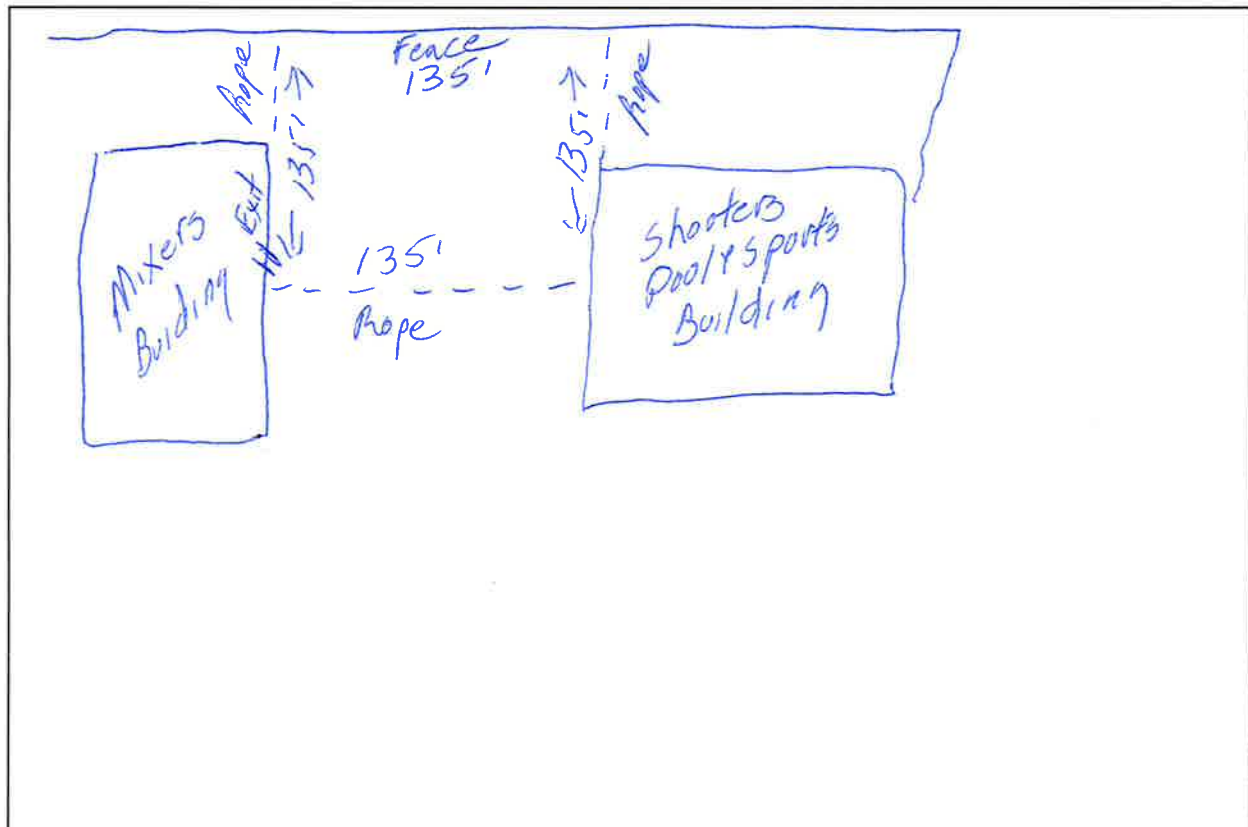
No objections as proposed.  
Capt [Signature] 7-10-19

# OUTDOOR AREA DIAGRAM

HOW AREA WILL BE PATROLLED in house security

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

DIAGRAM OF PROPOSED AREA:



10b.  
7/16/19

CITY OF BELLEVUE, NEBRASKA  
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE:	July 16, 2019	AGENDA ITEM TYPE:
SUBMITTED BY:  Susan Kluthe, 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:

Recommendation to approve a Special Designated Liquor License for Fairview Golf Company, Inc. to be able to sell beer, wine, and distilled spirits during the Bellevue University Banquet, in the John Mueller Administrative Services Bldg, 812 Bruin Blvd., on Saturday, August 3, 2019, from 5 p.m. to 11 p.m.

SYNOPSIS:

The Fairview Golf Company Inc. would like to be able to sell beer, wine, and distilled spirits during a banquet at the Bellevue Univ - John Mueller Administrative Services Bldg. on Saturday, August 3, 2019 from 5:00 p.m. to 11:00 p.m.

FISCAL IMPACT:

One Day License Fee -- \$40.00

BUDGETED ITEM: ☐ YES ☐ NO

PROJECT # & TRACKING INFORMATION:

--

RECOMMENDATION:

The Police have reviewed the application and given approval (see attached). Request Council approval.

BACKGROUND:

Special Designated Liquor License (SDLs) Applications are turned in directly to the City Clerk's Office. They are reviewed by the Police, submitted to the City Council for review and recommendation, and then forwarded to the Nebraska Liquor Control Commission for issuance (if there are no issues).

ATTACHMENTS:

1	Application	4	
2	Police Report	5	
3		6	

SIGNATURES:

ADMINISTRATOR APPROVAL:

FINANCE APPROVAL:

LEGAL APPROVAL:

  
A. Bruce Robbins



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

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

Fairview Golf Company, Inc.

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

13909 Glengarry Circle Bellevue, Nebraska 68123

Retail Liquor License Address or Non-Profit Business Address

071701

Retail License Number or Non-Profit Federal ID #

Consecutive Dates only

Event Date(s): 8/3/19

Event Start Time(s): 5 PM

Event End Time(s): 11 PM

Alternate Date: None

Alternate Location Building & Address: N/A

Event Building Name: John B. Muller Administrative Services Building

Event Street Address/City: 812 Bruin Blvd, Bellevue University

Indoor area to be licensed in length & width: 88' x 102'

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

Type of Event: Bellevue University Banquet Estimate # of attendees: 120

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

Event Contact Name: Doug Bengston Event Contact Phone Number: (402)292-9300

Event Contact Email: dbengston@tregarongolf.com

\*Signature Authorized Representative:  Printed Name Doug Bengston

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

\*Retail licensee – Must be signed by a member listed on permanent license

\*Non-Profit Organization – Must be signed by a Corporate Officer

Local Governing Body completes below:

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

Local Governing Body Authorized Signature

Date

**APPLICATION FOR A  
SPECIAL DESIGNATED LIQUOR LICENSE**

**POLICE REPORT**

DATE OF COUNCIL MEETING: 7.16.19 Due to City Clerk: 7.18.19

APPLICANT: Fairview Golf Company, Inc.

LOCATION/ADDRESS: 13909 Glengarry Circle, Bellevue 68123

REQUESTED ACTION: Approval to recommend approving a Special Designated Liquor License at 812 Bruin Blvd, Bellevue University for the Bellevue University Banquet, on Saturday, August 3, 2019 from 5 p.m. to 11:00 p.m.

**COMMENTS:**

*Approved 7-10-19  
Capt. [Signature]*

CITY OF BELLEVUE, NEBRASKA  
AGENDA ITEM COVER SHEET

12a.  
7/16/19

COUNCIL MEETING DATE:	July 2, 2019	AGENDA ITEM TYPE:
SUBMITTED BY:  Chris Shewchuk, Planning Director <i>cms</i>	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"/>

SUBJECT:

Request to rezone Lot 1, Wood Replat from RS-72 to RD-60 to allow for construction of a duplex. Applicant: Paul Pignotti.  
Location: 7801 South 30th Street.

SYNOPSIS:

The applicant is requesting a change of zone in order to allow for construction of a duplex; the current RS-72 zoning allows only single-family residences.

FISCAL IMPACT:

None

BUDGETED ITEM: ☐ YES ☐ NO

PROJECT # & TRACKING INFORMATION:

N/A

RECOMMENDATION:

The Planning Department and the Planning Commission have recommended denial of this change of zone request.

BACKGROUND:

Paul Pignotti has requested approval of a change of zone from RS-72 to RD-60 to allow for the construction of a duplex on Lot 1, Wood Replat located at 7801 South 30th Street. The existing RS-72 zoning permits only single-family residences, while the requested RD-60 zoning allows both single-family and two-family residences provided there is at least 6,000 square feet of lot area per dwelling unit. This lot contains approximately 13,280 square feet. The Planning Department and Planning Commission have recommended denial of this request based on lack of compatibility with the surrounded neighborhood.

ATTACHMENTS:

1 PC recommendation

2 Planning Department staff report

3 Proposed Ordinance

4

5

6

SIGNATURES:

ADMINISTRATOR APPROVAL:

FINANCE APPROVAL:

LEGAL APPROVAL:

*[Signature]*  
*[Signature]*  
*A. Bruce Roblin*

# City of Bellevue

## PLANNING COMMISSION RECOMMENDATION

APPLICANT: Paul Pignotti

LOCATION: 7801 South 30<sup>th</sup> Street

CASE #: Z-1905-02

CITY COUNCIL HEARING DATE: July 16, 2019

REQUEST: to rezone Lot 1, Wood Replat, from RS-72 to RD-60 for the purpose of duplex residential development.

On June 20, 2019, the City of Bellevue Planning Commission voted six yes, zero no, zero abstained, and three absent to recommend:

***DENIAL*** of the change of zone based upon the incompatibility with the existing single family residential development.

### VOTE:

Yes:	Six:	No:	Zero:	Abstain:	Zero:	Absent:	Three:
	Casey						Aerni
	Perrin						Ritz
	Cain						Smith
	Jacobson						
	Ackley						
	Cutsforth						

Planning Commission Hearing (s) was held on: June 20, 2019

# **CITY OF BELLEVUE PLANNING DEPARTMENT**

## **RECOMMENDATION REPORT # 2**

**CASE NUMBER:** Z-1905-02

**FOR HEARING OF:**

**REPORT #1:** June 20, 2019

**REPORT #2:** July 16, 2019

### **I. GENERAL INFORMATION**

#### **A. APPLICANT:**

Paul Pignotti  
3701 Joann Avenue  
Bellevue, NE 68123

#### **B. PROPERTY OWNER:**

Classic Refrigeration  
c/o Paul Pignotti  
P.O. Box 818  
Bellevue, NE 68005

#### **C. GENERAL LOCATION:**

7801 South 30<sup>th</sup> Street

#### **D. LEGAL DESCRIPTION:**

Lot 1, Wood Replat, located in the Southeast ¼ of Section 16, T14N, R13E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska.

#### **E. REQUESTED ACTION:**

Rezone Lot 1, Wood Replat, from RS-72 to RD-60.

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

RS-72, Vacant

#### **G. PURPOSE OF REQUEST:**

The purpose of this request is to obtain approval of a rezoning to allow for the construction of a duplex.

#### **H. SIZE OF SITE:**

The site is approximately .29 acres.

### **II. BACKGROUND INFORMATION**

#### **A. EXISTING CONDITION OF SITE:**

The site is presently vacant. Previously, there was a single family residence on the property. This residence was torn down by the city after being destroyed by fire.

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

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

#### **C. REVELANT CASE HISTORY:**

On June 20, 2019, the Planning Commission recommended denial of a request to rezone Lot 1, Wood Replat, from RS-72 to RD-60 for the purpose of duplex residential development.

#### **D. APPLICABLE REGULATIONS:**

Section 5.11, Zoning Ordinance, regarding RD-60 uses and requirements.

### **III. ANALYSIS**

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

The Future Land Use Map of the Comprehensive Plan designates this property as single family residential.

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

This property is large enough to be replatted into two lots if rezoned to the RD-60 zoning district.

**C. TRAFFIC AND ACCESS:**

1. There is no traffic data available for this area.
2. The property could have access from either South 30<sup>th</sup> Street or McCorkindale Avenue.

**D. UTILITIES:**

All utilities are available to this property.

**E. ANALYSIS:**

1. Paul Pignotti has submitted a request to rezone Lot 1, Wood Replat, for the purpose of allowing a duplex.
2. This property is presently zoned RS-72. The intent of the RS-72 zoning district is to permit single family residential developments on medium sized lots, while the intent of the RD-60 zoning district is to permit single family and two family residential developments on smaller sized lots.
3. The applicant desires to sell the property to a buyer who wants to construct a duplex.
4. This application was sent out for review by the following departments and individuals: Public Works, Permits and Inspections, Chief of Police, Offutt Air Force Base, Fire Inspector, and the Omaha Public School District. The cover letter indicated a deadline to send comments back to the Planning Department, and also stated if the requested department did not have comments pertaining to the application, no response was needed.  
  
No comments were received on this case.
5. The Future Land Use Map of the Comprehensive Plan designates this area as single family residential.
6. The applicant has provided several addresses of existing duplexes nearby. They are as follows:

- 2803-2807 Irene Street
- 2717 Irene Street
- 2802-2804 Sandra Street
- 2713 Bonnie Street
- 8004 Sarpy Avenue



The addresses on Irene Street and Sandra Street are part of an RG-50 zoning district, where duplexes are a permitted use. Please refer to the attached zoning map to view these duplexes in relation to the applicant's property.

The duplexes located at 2713 Bonnie Street and 8004 Sarpy Avenue are considered legal non-conforming. They are both zoned RS-72, and were constructed in 1969. These duplexes were likely constructed while this area was under Sarpy County's jurisdiction.

7. Staff does not believe the requested RD-60 zoning is compatible with the immediate neighborhood. This property is presently surrounded by RS-72 zoning and single family residences. Rezoning this particular lot would be considered spot zoning, which is not desirable planning practice.

**F. TECHNICAL DEFICIENCIES:**

None

**IV. DEPARTMENT RECOMMENDATION**

DENIAL of the change of zone based upon the incompatibility with the existing single family residential development.

**V. PLANNING COMMISSION RECOMMENDATION**


DENIAL of the change of zone based upon the incompatibility with the existing single family residential development.

**VI. ATTACHMENTS TO REPORT**

1. Zoning Map
2. 2018 GIS aerial photo of the property
3. Letter from the applicant received May 10, 2019
4. Zoning Map showing nearest RG-50 zoning
5. Letter received June 12, 2019 from Dana Olson in opposition
6. Email received June 17, 2019 from Marlene Godfroy
7. Email received June 17, 2019 from Adam and Stacy Dinslage
8. Email received June 20, 2019 from Donald Kinsella and Mark Wilsey

**VII. COPIES OF REPORT TO:**

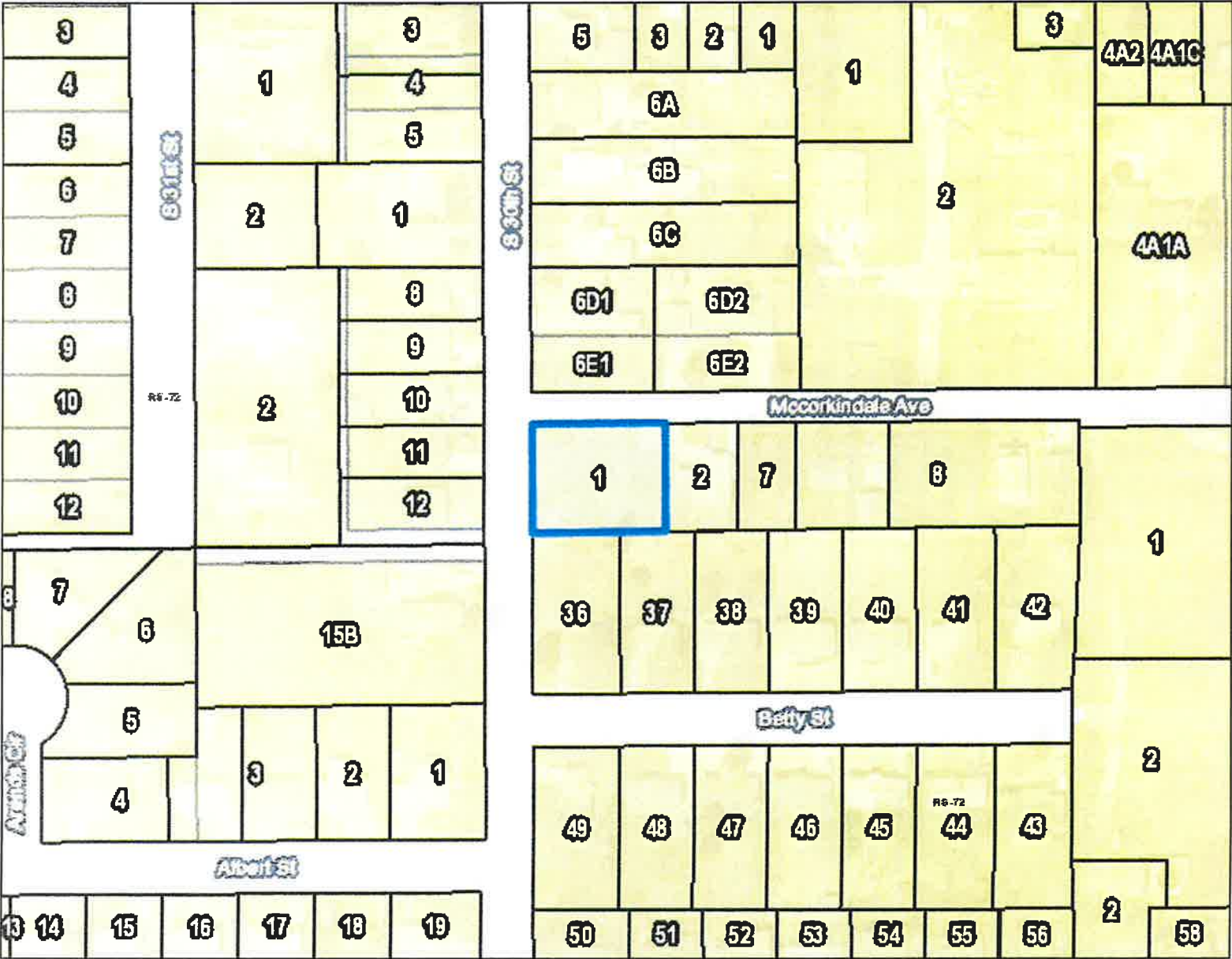
1. Paul Pignotti
2. Public Upon Request

  
\_\_\_\_\_  
Prepared by:

  
\_\_\_\_\_  
Planning Director

  
\_\_\_\_\_  
Date of Report

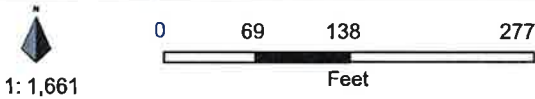
# Lot 1 Wood Replat Zoning Map



Location

Legend

- Road Centerlines  
2018 Aerial Photo
- Red: Band\_1
  - Green: Band\_2
  - Blue: Band\_3



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 1 Wood Replat Zoning Map



Location

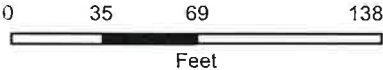


Legend

- Road Centerlines
- 2018 Aerial Photo
- Red: Band\_1
- Green: Band\_2
- Blue: Band\_3



1: 830



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

2

I am currently in the process of trying to sell my lot located at 7801 S 30th Street. I am requesting re-zoning of this lot to Multi-Family because I believe it is well suited for a duplex. The lot measures 125.5' X approximately 105.4, which gives it a total of at least 13,227 (13,278 by county records, see attached) well above the 12,000 sq. ft. required for a duplex.

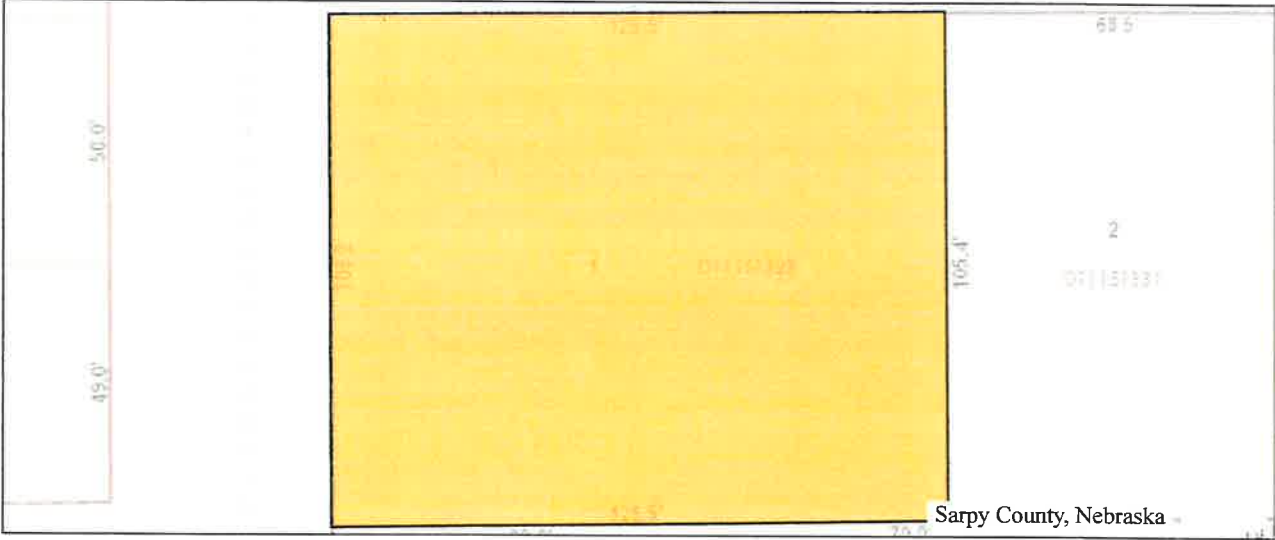
Before the new power poles/lines were installed last year, I had some interested parties for the lot for single family residence, but since then, most inquiries have been interested in building a residential duplex on the site. I feel a duplex or dual occupancy type of home would fit well on this lot and be an improvement to the surrounding neighborhood.

RECEIVED

MAY 10 2019

PLANNING DEPT.

GIS Information



Voting Information

- Voting Precinct: 18

State Senate: District 3

City Ward: Bellevue Ward 5

Public Service Commission: District 3

OPPD: District 3

Metro Community College: District 5

Board of Regents: District 4

Learning Community: District 5
- US House of Representatives: District 1

County Commissioner: District 3

Nebraska Supreme Court: District 4

Papio NRD: District 11

MUD: MUD

Board of Education: District 4

School District: Omaha, District 8

Levy Information

Levy Information 2018

[View Past Levy Information](#)

Fund	Description	Levy
1	COUNTY LEVY	0.2969
102	OMAHA SCHOOL DIST-01	1.082526
104	OMAHA SCH-01 BOND	0.162483
202	LEARN COM-ELEM LEARNING	0.01625
401	BELLEVUE CITY	0.418553
402	BELLEVUE CITY BOND	0.191447
501	PAPIO NATURAL RESRCE	0.030852
502	PAPIO NRD BOND	0.006742
701	MUD	0
801	METRO COMMUNITY COLL	0.095
901	AGRICULTURAL SOCIETY	0.002742
1019	ED SERVICE UNIT 19	0.015
	Total Levy	2.318495

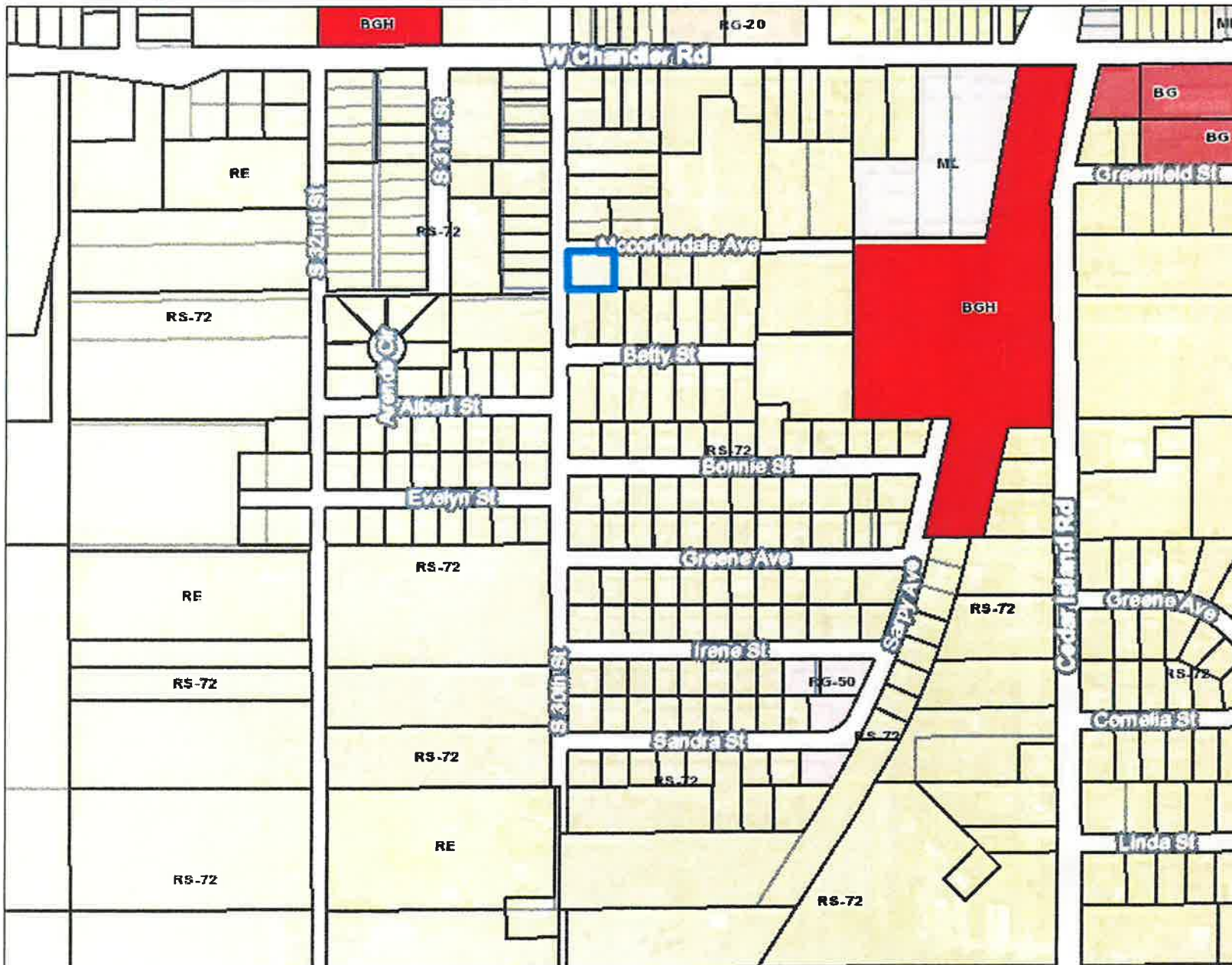
RECEIVED

MAY 10 2019

PLANNING DEPT.



# Zoning Map showing nearest RG-50 zoning



## Location

Location

## Legend

- Road Centerlines  
2018 Aerial Photo
- Red: Band\_1
  - Green: Band\_2
  - Blue: Band\_3



1: 4,800



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

I received a letter in the mail today about to rezone a lot at 7801 South 30th St. I am against rezoning the lot for a duplex. The lot looks like it's too small, also the house next door would be too close to the duplex. I don't want it across the street from my house, there is enough traffic on the street already.

RECEIVED

JUN 12 2019

PLANNING DEPT.

Dana L. Olson  
7736 South 30th St.  
Bellevue NE 68147



## Tammi Palm

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**From:** Marlene Godfroy <mkgodfroy@msn.com>  
**Sent:** Sunday, June 16, 2019 8:19 PM  
**To:** Tammi Palm  
**Subject:** 7801 So 30th Street

I am against the rezoning of Case #Z-1905-02 applicant Paul Pignotti.

I feel this will not work for our neighborhood, there is no parking available on 30th street and McCorkingdale is an one lane street.

Thank you and please forward this to the City Council.

Marlene Godfroy  
2912 Betty St  
Bellevue, NE 68147  
402 734-3903

RECEIVED  
JUN 17 2019  
PLANNING DEPT.

## Tammi Palm

---

**From:** Adam Dinslage <adam.dinslage@gmail.com>  
**Sent:** Sunday, June 16, 2019 6:47 PM  
**To:** Tammi Palm  
**Subject:** Case # Z-1905-02: Do not Rezone Lot 1 at 7801 South 30th Street

Ms. Palm

My wife and I are residents of 2916 Betty Street, the lot adjacent to 7801 South 30th Street. It has come to our attention that you wish to rezone this area from a single family Residential lot to a Duplex Lot. We vehemently oppose such action.

We were not given fair notice of the lot rezoning. We discovered through one of our neighbors that one person was gathering signatures on the morning of Saturday, June 15th. We were not home and did not receive any supplemental information regarding the potential zone change, nor of the petition. If there is any entry under our address, disregard it and consider it fraudulent. Further, we do not know what the person gathering signatures said or did in their pitch to gain signatures. Please take this into account when you evaluate the legitimacy of this petition.

We have not been told what the plans are for such a building. Any driveways on the corner of McCorkindale and 30th St present a safety concern. The area sits on the crest of a hill, and is a significant blind spot in an area that often hosts many kids playing on the sidewalks and sometimes riding bikes in the streets. Winter travel on 30th Street is hazardous, and there is only enough room for spare parking. Adding a Duplex only invites more cars onto the streets, thus limiting the effectiveness of the snow plows.

My wife and I have invested heavily into our home. We do not want to have a duplex and the subsequent headaches and problems associated with it in our neighborhood.

Thank you for your time and consideration.

Best regards,

Adam and Stacy Dinslage  
2916 Betty Street

RECEIVED

JUN 17 2019

PLANNING DEPT.

## Tammi Palm

---

**From:** Donald Kinsella <donkinsella05@gmail.com>  
**Sent:** Thursday, June 20, 2019 5:55 PM  
**To:** Tammi Palm  
**Subject:** Case #: Z-19-05-02

Dear council members,

I am e-mailing you on behalf of Mr. Mark Wilsey who lives adjacent to the property on the corner of S 30th Street & McCorkindale Ave. He has lived at his home, that he built himself, for over 30 years.

Mr. Wilsey had also worked for the city of Bellevue for over 25 years and has extensive knowledge of the area not only as a resident but as someone who has worked on every street in the city.

Mr. Wilsey has many concerns with the possibility of rezoning this lot. One problem is the fact the McCorkindale is a substandard road that at one point is only 17' wide, simply cannot handle the added traffic of a multifamily dwelling. Another issue that he sees the neighborhood will face is parking. There is no parking on 30th St. Any overflow will inevitably park McCorkindale which is already too narrow.

One of the biggest concerns is the property values in the neighborhood being significantly impacted in a negative way.

We hope you take these points into consideration when deciding to rezone this lot.

Sincerely,  
Donald Kinsella & Mark Wilsey

RECEIVED  
JUN 20 2019  
PLANNING DEPT.

ORDINANCE NO. 3951

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 7801 SOUTH 30<sup>TH</sup> STREET, MORE PARTICULARLY DESCRIBED IN SECTION 1 OF THE ORDINANCE AND TO PROVIDE AN EFFECTIVE DATE.

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

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

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

Lot 1, Wood Replat, located in the Southeast  $\frac{1}{4}$  of Section 16, T14N, R13E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska

From RS-72 (Single Family Residential, 7,200 Square Foot Zone) to RD-60 (Duplex Residential, 6,000 Square Foot Zone).

(Paul Pignotti)

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 \_\_\_\_\_, 2019.

APPROVED AS TO FORM:

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

ATTEST

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

\_\_\_\_\_  
Mayor

First Reading: 7-2-19  
Second Reading: \_\_\_\_\_  
Third Reading: \_\_\_\_\_

## Susan Kluthe

---

**From:** Shannon Cargile <carsmiles70@gmail.com>  
**Sent:** Monday, July 15, 2019 12:26 PM  
**To:** Susan Kluthe  
**Cc:** Shannon Cargile; Kevin Cargile  
**Subject:** Case# Z-1905-02

Bellevue City Council Members,

We are writing to strongly oppose the rezoning of the property at S 30th Street and McCorkindale Avenue. We have lived at 2808 McCorkindale Avenue for over 12 years and do not wish to have a duplex built for multiple reasons.

First, we believe that a multiplex would negatively impact our property value. We are a neighborhood of families and don't want to see a revolving door multiplex on the corner. Also, the lot is not that large and putting a duplex on the property would make it look oversized and out of place in our neighborhood.

Second, McCorkindale Ave is a narrow substandard road that is not able to hold the extra vehicles a duplex would bring. McCorkindale is not able to hold parking on the street as it is too narrow, especially in the winter when it snows. It would be a hazard to have any parking right on that corner as cars turn onto McCorkindale. Also, there is no parking on 30th in front of that lot due to the turn onto McCorkindale.

The lot on 30th and McCorkindale is not suitable for a duplex and we ask that the request be denied.

We thank you for your time and ask that you would please take our concerns into consideration.

Sincerely,  
Kevin and Shannon Cargile

## Shirley Harbin

---

**From:** Susan Kluthe  
**Sent:** Friday, July 12, 2019 1:58 PM  
**To:** Shirley Harbin  
**Subject:** FW: 7801 s 30th zoning  
**Attachments:** neighborhood map.pdf; signature sheet 6-15-2019.pdf; over view map.PNG

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**From:** paul@clrfg.omhcoxmail.com <paul@clrfg.omhcoxmail.com>  
**Sent:** Friday, July 12, 2019 11:40 AM  
**To:** Susan Kluthe <Susan.Kluthe@bellevue.net>  
**Subject:** RE: 7801 s 30th zoning

Susan,

I sent this information on Tuesday. I did not have the case number at the time. The case # is Z-1905-02. Did I get this in time to be on the hearing set for 7-16-2019?

Thank You  
Paul Pignotti

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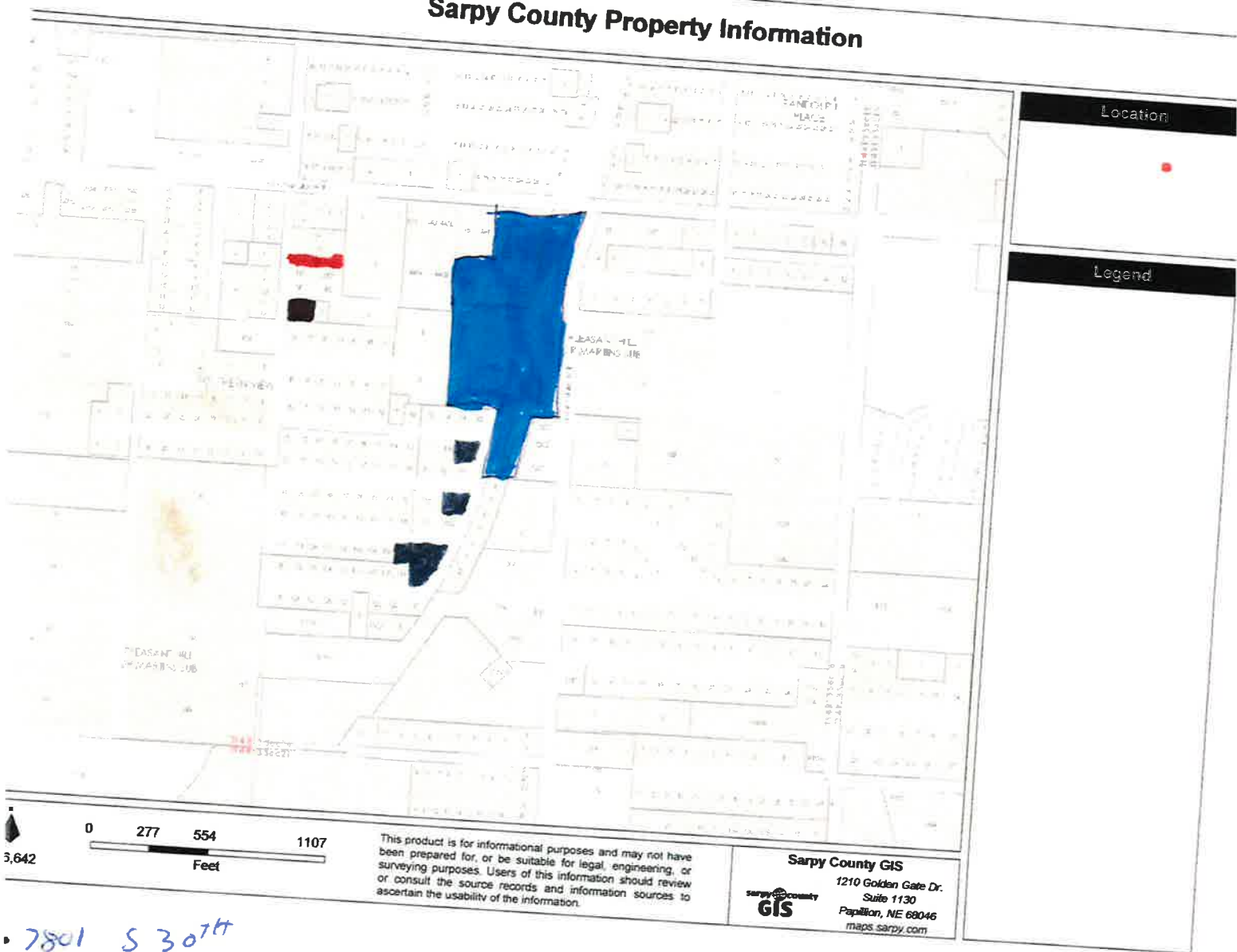
**From:** [paul@clrfg.omhcoxmail.com](mailto:paul@clrfg.omhcoxmail.com) <[paul@clrfg.omhcoxmail.com](mailto:paul@clrfg.omhcoxmail.com)>  
**Sent:** Tuesday, July 9, 2019 5:38 PM  
**To:** Susan Kluthe ([susan.kluthe@BELLEVUE.NET](mailto:susan.kluthe@BELLEVUE.NET)) <[susan.kluthe@BELLEVUE.NET](mailto:susan.kluthe@BELLEVUE.NET)>  
**Subject:** 7801 s 30th zoning

Bellevue City Council,

This lot is in a mix use neighborhood, There is a Car repair Business 3 lots to the north. There is a storage facility approximately 1.5 blocks straight east of 7801 S. 30<sup>th</sup> St., at the end of McCorkindale. There are at least 5 Duplexes in the neighborhood. If you look at the attached map of the neighborhood, you will see that most of the lots are uniform in size. The Duplexes are on oversized lots. The lot at 7801 S 30<sup>th</sup> St. is an oversized lot, over 13,000 Sq. ft. By allowing a single family duplex on this lot would increase the value of the location, currently valued at \$20,000.00. I also have a list of signatures from 8 residents that live around the perimeter of the lot who are not against a single family duplex on that location.

Thank You  
Paul Pignotti

# Sarpy County Property Information



7801 S 30th

CHANDLER STORAGE/MIITS mini STORAGE

BILL RICHY CAR REPAIR

DEPLETES

My name is Paul Pignotti, I own the lot at 7801 s 30<sup>th</sup> st. I have a buyer interested in purchasing the lot. The buyer wants to build a Duplex for them and their mother. I have applied for rezoning so that they can build their home. Is this something that you would be for or against?

	Name	address	for/against
1.	Butch White	2920 Bell	For
2.	D Becker	7818 S 30 St	No opinion
3.	Jim Jerneman	7738 S 30 St	NO OPINION IF FOLLOW LAWS
4.	NORM Moffitt	2729 McCordindale Ave	NO OPINION
5.	Jerry Gallagher	7732 S 30th	No opinion
6.	Oliver Cline	7732 S 30	no opinion
7.	Koren Smith	7735 S 30th St	no opinion
8.	Ethan Cleveland	2912 McCordindale Ave	no opinion
9.			
10.			
11.			





In response to the letter I received about rezoning the lot at 7801 South 30th St. I am against it. Our house is across the street. The lot was intended for a single family home, not a duplex.

RECEIVED

JUL 11 2019

CITY CLERK

Dana L. Olson

7736 South 30th St.

Bellevue, NE 68147

CITY OF BELLEVUE, NEBRASKA  
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE:	July 2, 2019	AGENDA ITEM TYPE:
SUBMITTED BY:  Chris Shewchuk, Planning Director <i>CS</i>	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"/>

SUBJECT:

Request to amend Section 5.20 of the Bellevue Zoning Ordinance regarding the permitted number of full-time practitioners in a medical clinic in the BN Neighborhood Business district. Applicant: City of Bellevue Planning Department (at the request of the Planning Commission).

SYNOPSIS:

The BN Neighborhood Business zoning district allows medical clinics as a permitted use, but has a limit of two practitioners in any one building. The proposed amendment would change the limit to four full-time practitioners.

FISCAL IMPACT:

None

BUDGETED ITEM: ☐ YES ☐ NO

PROJECT # & TRACKING INFORMATION:

N/A

RECOMMENDATION:

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

BACKGROUND:

The Planning Commission recently heard a request for a change of zone from BN to BG in order to allow a medical office with up to four full-time practitioners to locate in an existing building. While the Commission was not opposed to the medical office, it was concerned about changing the zoning classification on the lot due to the additional uses allowed in the BG zoning district and its proximity to residential uses. The Planning Commission requested that the Planning Department prepare a text amendment to allow additional practitioners in the BN zoning district, which currently only permits two in any building. The Planning Commission felt that such an amendment was appropriate because dental offices do not have a limit on the number of practitioners in the BN district.

ATTACHMENTS:

1	PC recommendation	4	
2	Planning Department staff memo	5	
3	Proposed Ordinance	6	

SIGNATURES:

ADMINISTRATOR APPROVAL:

FINANCE APPROVAL:

LEGAL APPROVAL:

*[Signature]*  
*[Signature]*  
*A. Bruce Rollins*

# City of Bellevue

## PLANNING COMMISSION RECOMMENDATION

APPLICANT: City of Bellevue

CASE #: #153

CITY COUNCIL HEARING DATE: July 16, 2019

REQUEST: To amend 5.20, City of Bellevue Zoning Ordinance, regarding the number of full-time practitioners allowed in a medical clinic in the BN (Neighborhood Business) zoning district.

On June 20, 2019, the City of Bellevue Planning Commission voted six yes, zero no, zero abstained, and three absent to recommend:

***APPROVAL*** of the amendment as presented.

VOTE:

Yes:	Six:	No:	Zero:	Abstain:	Zero:	Absent:	Three:
	Casey						Aerni
	Perrin						Ritz
	Cain						Smith
	Jacobson						
	Ackley						
	Cutsforth						

Planning Commission Hearing (s) was held on: June 20, 2019



## City of Bellevue

Office of the Planning Department

# MEMORANDUM

TO: City Council  
Mayor Hike  
City Administrator Jim Ristow  
FROM: Tammi Palm, Land Use Planner  
DATE: June 25, 2019  
RE: Amendment to Section 5.20, BN Zoning District

Section 5.20 of the BN (Neighborhood Business) zoning district allows for medical clinics limited to two practitioners in any one building. This regulation was discussed at the May 23, 2019 Planning Commission meeting as part of a rezoning request for Remedy Health. During that discussion, there was an overall consensus the language should be amended to allow for four medical practitioners in any one clinic. This was largely due to the fact dental clinics are allowed in the BN zoning district with an unlimited amount of practitioners.

As a result of that conversation, staff is recommending the following amendment to Section 5.20:

EE. Medical clinics established to provide service to the inhabitants of the local neighborhood and limited to ~~two~~ **four full-time** practitioners in any one building.

This amendment would not regulate part-time practitioners; focusing only on full-time practitioners.

### **PLANNING DEPARTMENT RECOMMENDATION:**

APPROVAL of the amendment as presented.

### **PLANNING COMMISSION RECOMMENDATION:**

APPROVAL of the amendment as presented.



## ORDINANCE NO. 3952

**A**N ORDINANCE TO AMEND SECTION 5.20, ORDINANCE NO. 3619, BELLEVUE ZONING ORDINANCE, RELATING TO PERMITTED USES IN THE BN NEIGHBORHOOD BUSINESS DISTRICT; 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:

**S**ection 1. That Section 5.20 of Ordinance No. 3619 hereby amended to read as follows:

### **Section 5.20 BN Neighborhood Business District**

**5.20.01 Intent.** This zone is designed to provide for limited commercial uses serving the common and frequent needs of residents of the immediate vicinity.

#### **5.20.02 Permitted Uses:**

1. Retail and service stores and offices of the following small store types (not to exceed 7,500 sq. ft. floor area), provided all activities and display goods are carried on within an enclosed building except that green plants and shrubs may be displayed in the open and further provided that all waste material be kept within a sight obscuring enclosure:
  - A. Accounting, billing and tax preparations services.
  - B. Animal hospital
  - C. Apparel store, tailor shops, dressmaker.
  - D. Art gallery.
  - E. Bakery, custom, selling all production at retail on the premises or as retail custom orders for delivery.
  - F. Bank, Savings and Loan Association.
  - G. Barber, beauty shops.
  - H. Book store.
  - I. Candy, ice cream store including manufacture, if all production is sold at retail on the premises or as retail custom orders for delivery.
  - J. Child Care Center.
  - K. Convenient Store without fuel sales.
  - L. Dancing studios and schools including group instruction, not including those classified under sexually oriented business.
  - M. Dental Clinics
  - N. Drug or drug-variety store.
  - O. Dry cleaning (self-service automatic) establishments of not more than 10 cleaning units.
  - P. Dry cleaning pick-up station with custom pressing and repair, but not including cleaning and laundering on the premises, unless self-service laundry or dry cleaning as permitted herein.
  - Q. Dry good store.
  - R. Florist shop
  - S. Frame shop.
  - T. Furniture (specialty) shops.
  - U. Garden supply, commercial greenhouses, nursery stock sales yards.
  - V. General office uses.
  - W. Gift and card shop.
  - X. Grocery, supermarket.
  - Y. Hardware and appliance store and small tool rental when incidental to a hardware or other business.
  - Z. Hobby and craft store.
  - AA. Interior design firms.
  - BB. Jewelry store.
  - CC. Laundry (self-service automatic) of not more than 30 washing units.
  - DD. Meat market, retail, but no killing, eviscerating, skinning, plucking or smoking of food products on the premises.
  - EE. Medical Clinics established to provide service to the inhabitants of the local neighborhood and limited to four full-time practitioners in any one building.
  - FF. Music store, music studio.
  - GG. News and tobacco store.
  - HH. Paint, wallpaper, drapery and floor covering store.
  - II. Photographer, artist, photo finishing, and camera store.
  - JJ. Real estate sales office.
  - KK. Restaurant (Limited).
  - LL. Shoe repair shop.

- MM. Shoe store.
- NN. Television, radio and small appliance repair.
- OO. Toy and sporting goods store.
- PP. Variety store.

- 2. Public utility main transmission lines including substations, distribution centers, regulator stations, pumping stations, treatment facilities, storage, equipment buildings, garages, towers, or similar public service uses.
- 3. Railroad through and spur tracks, but no sidings or other terminal type facilities and no service, repair or administrative facilities.

**5.20.03 Conditional Uses:**

- 1. Churches, synagogues, chapels, and similar places of religious worship and instruction when located in a business building or on the same lot as a business building.
- 2. Communication Towers meeting the requirements as set forth in Section 8.05.
- 3. Governmental services – Administrative Facilities.

**5.20.04 Permitted Accessory Uses:**

- 1. Accessory uses for commercial development shall include those normally appurtenant to such development, except as further specified herein.
- 2. Residential and small wind energy systems, subject to Section 8.09.

**5.20.05 Space Limits:**

- 1. Minimum lot area: 7,500 square feet.
- 2. Minimum width of lot: 50 feet.
- 3. Maximum height of building: 25 feet.
- 4. Minimum front yard: 25 feet.
- 5. Minimum rear yard: 20 feet.
- 6. Minimum side yard: 10 feet, when abutting a lot in use as a residence. None, when abutting business districts.
- 7. Minimum side yard on street side of corner: 25 feet. The 20 feet of a required corner side yard adjacent to the building may be used for the parking of automobiles.
- 8. Maximum gross floor area ratio: 0.7.
- 9. Maximum ground coverage: 70 percent.

**5.20.06 Miscellaneous Provisions:**

- 1. Off-street parking and loading shall be provided for all uses established in this zone.
- 2. All parking and storage of vehicles, boats, campers and trailers shall be in conformance with Sections 8.01-8.03.
- 3. All signage shall be in conformance with Article 7.
- 4. All buildings shall conform to building design regulations in Section 8.11.
- 5. All landscaping shall conform with Article 9.

**S**ection 2. That Sections 5.20 and 5.21 of Ordinance No. 3619, Bellevue Zoning Ordinance, as heretofore existing are hereby repealed:

**S**ection 3. 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.

**A**DOPED by the Mayor and City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

APPROVED AS TO FORM:

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

ATTEST

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

\_\_\_\_\_  
Mayor

First Reading: 7-2-19  
Second Reading: \_\_\_\_\_  
Third Reading: \_\_\_\_\_



## City of Bellevue

Office of the Planning Department

TO: Mayor Hike  
City Council  
City Administrator Jim Ristow  
FROM: Chris Shewchuk, Planning Director *CS*  
DATE: July 9, 2019  
SUBJ: Request for waiver of third reading, Agenda item 12b

I am requesting the City Council suspend the rules requiring three separate readings on Ordinance No. 3950 (Agenda item 12b) and take a vote on this item at the conclusion of the public hearing.

At its May meeting, the Planning Commission heard a request for a change of zone from BN to BG on property located at 1315-1321 Galvin Road South. The purpose of the request was to allow the applicant to operate a medical clinic with more than two practitioners (the limit in the BN zoning district). While the Commission was supportive of the applicant, it had various concerns about changing the zoning classification on this property. In order to support the applicant, the Commission recommended that the Planning Department bring forward a text amendment to allow more than two medical practitioners in the BN district; they felt this was appropriate as there is no limit on the number of dentists in the BN district. The text amendment to increase the limit to four full-time practitioners is the subject of Ordinance No. 3950.

I am making the request to waive the third reading because the applicant was delayed while the text amendment was prepared and presented to the Planning Commission for its recommendation. Neither the change of zone request nor the text amendment received any opposition at the Planning Commission public hearings.



12c.  
7/16/19

CITY OF BELLEVUE, NEBRASKA  
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE:	07-02-19	AGENDA ITEM TYPE:
SUBMITTED BY:  Councilman Pat Shannon		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"/>

SUBJECT:

Pay Raise for the Mayor and City Council

SYNOPSIS:

Pay Raise of \$6,000 per year for the Mayor and members of the City Council

FISCAL IMPACT:

\$42,000

BUDGETED ITEM: ☐ YES ☐ NO

PROJECT # & TRACKING INFORMATION:

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RECOMMENDATION:

Approval of Ordinance No. 3953

BACKGROUND:

It has been years since these elected officials have seen a pay raise and their compensation has fallen far behind what is reasonable as compared to Council-members in Omaha & Lincoln

ATTACHMENTS:

1	Ordinance - Red-lined & Final
2	
3	

4	
5	
6	

SIGNATURES:

ADMINISTRATOR APPROVAL:

FINANCE APPROVAL:

LEGAL APPROVAL:


ORDINANCE NO. 3953

AN ORDINANCE TO AMEND THE SALARY AND COMPENSATION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF BELLEVUE NEBRASKA; TO REPEAL ORDINANCE NO. 3560 AND TO DECLARE AN EFFECTIVE DATE.

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

Section 1. Commencing with the terms beginning on or after ~~December 12, 2016,~~ December 1, 2020, the Mayor and City Council members shall receive for their salaries and compensation the following amounts:

Mayor	\$ <del>1521</del> ,000.00 per annum
Council Council Members	\$ <del>117</del> ,000.00 per annum

Section 2. In addition to the salaries established in Section 1 of this Ordinance, the Mayor and City Council members shall be entitled to purchase the same benefits for health and dental care coverage that is currently offered to the City's department heads and directors, and the purchase of such coverage by any member of the Council or the Mayor shall not be an expense to the City.

Section 3. The salaries of the Mayor and City Council shall be paid in such sums, at such intervals and in such manners as may be determined by the City Council.

Section 4. That Ordinance No. ~~3560~~ 3953 and all other ordinances in conflict herewith are hereby repealed.

Section 5. That this Ordinance shall be in full force and take effect on ~~December 12, 2016,~~ December 1, 2020.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

CITY OF BELLEVUE

By: \_\_\_\_\_  
MAYOR

ATTEST:

APPROVED AS TO FORM:

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

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

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

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

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

ORDINANCE NO. 3953

AN ORDINANCE TO AMEND THE SALARY AND COMPENSATION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF BELLEVUE NEBRASKA; TO REPEAL ORDINANCE NO. 3560 AND TO DECLARE AN EFFECTIVE DATE.

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

Section 1. Commencing with the terms beginning on or after December 1, 2020, the Mayor and City Council members shall receive for their salaries and compensation the following amounts:

Mayor	\$21,000.00 per annum
Council Council Members	\$17,000.00 per annum

Section 2. In addition to the salaries established in Section 1 of this Ordinance, the Mayor and City Council members shall be entitled to purchase the same benefits for health and dental care coverage that is currently offered to the City's department heads and directors, and the purchase of such coverage by any member of the Council or the Mayor shall not be an expense to the City.

Section 3. The salaries of the Mayor and City Council shall be paid in such sums, at such intervals and in such manners as may be determined by the City Council.

Section 4. That Ordinance No. 3953 and all other ordinances in conflict herewith are hereby repealed.

Section 5. That this Ordinance shall be in full force and take effect on December 1, 2020.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

CITY OF BELLEVUE

By: \_\_\_\_\_  
MAYOR

ATTEST:

APPROVED AS TO FORM:

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

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

First Reading: 7/2/19

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

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

# ORDINANCE RECORD

No. 72 B—REDFIELD & COMPANY INC., OMAHA

## ORDINANCE NO. 2337

AN ORDINANCE TO SET SALARIES AND COMPENSATION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF BELLEVUE, NEBRASKA, IN THE AMOUNTS HEREIN FOLLOWING; TO REPEAL ORDINANCE NO. 2155; AND TO DECLARE AN EFFECTIVE DATE.

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

Section 1. Commencing with the terms beginning December 10, 1984, the Mayor and City Council members shall receive for their salaries and compensation the following amounts:

Mayor	\$ 7,500.00 per annum for 1985-1986 \$11,000.00 per annum, beginning in 1987
City Council member	\$ 4,000.00 per annum for 1985 \$ 4,500.00 per annum, beginning in 1986

Section 2. The salaries of the Mayor and City Council shall be paid in such sums, at such intervals and in such manners as may be determined by the City Council.

Section 3. That Ordinance No. 2155 and all other ordinances in conflict herewith are hereby repealed.

Section 4. That this ordinance shall be in full force and take effect from and after its passage, approval, and publication according to law.

Passed and approved this 26th day of November, 1984.



*Severely Hardy*  
City Clerk

*Joseph L. H. Baldwin*  
Mayor

# ORDINANCE RECORD

No. 728-REDFIELD & COMPANY INC., OMAHA

ORDINANCE NO. 2431

AN ORDINANCE TO AMEND ORDINANCE NO. 2337 BY CHANGING THE SALARY AND COMPENSATION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF BELLEVUE, NEBRASKA; TO REPEAL ORDINANCE NO. 2337 AND TO DECLARE AN EFFECTIVE DATE.

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

Section 1. Commencing with the terms beginning December 8, 1986, the Mayor and City Council members shall receive for their salaries and compensation the following amounts:

Mayor	\$11,000.00 per annum
City Council member	\$ 7,000.00 per annum

Section 2. No City Council member shall receive any reimbursement from the city for any expenses incurred during the term of office as a member of the City Council.

Section 3. The salaries of the Mayor and City Council shall be paid in such sums, at such intervals and in such manners as may be determined by the City Council.

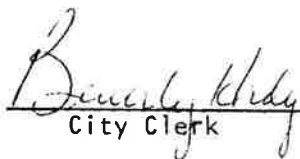
Section 4. That Ordinance No. 2337 and all other ordinances in conflict herewith are hereby repealed.

Section 5. That this Ordinance shall be in full force and take effect from and after its passage, approval, and publication according to law.

PASSED AND APPROVED this 11th day of August, 1986

  
Mayor

Attest:

  
City Clerk

First reading:  
Second reading:  
Third reading:

August 11, 1986

# ORDINANCE RECORD

No. 728-REDFIELD & COMPANY INC., OMAHA

## ORDINANCE NO. 2976

1  
2 AN ORDINANCE TO AMEND ORDINANCE No. 2431 BY CHANGING THE  
3 SALARY AND COMPENSATION OF THE MAYOR AND CITY COUNCIL OF THE  
4 CITY OF BELLEVUE, NEBRASKA; TO REPEAL ORDINANCE No. 2431 AND TO  
5 DECLARE AN EFFECTIVE DATE.  
6  
7

8 BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY  
9 OF BELLEVUE, SARPY COUNTY NEBRASKA:  
10

11  
12 Section 1. Commencing with the terms beginning on or after December 8, 1998, the  
13 Mayor and City Council members shall receive for their salaries and compensation the  
14 following amounts:  
15

16 Mayor \$15,000 per annum

17  
18 City Council member \$7,000 per annum  
19

20 Section 2. No City Council member shall receive any reimbursement from the city for  
21 any expenses incurred during the term of office as a member of the City Council.  
22

23 Section 3. The salaries of the Mayor and City Council shall be paid in such sums, at  
24 such intervals and in such manners as may be determined by the City Council.  
25

26 Section 4. That Ordinance No. 2431 and all other ordinances in conflict herewith are  
27 hereby repealed.  
28

29 Section 5. That this Ordinance shall be in full force and take effect from and after its  
30 passage, approval and publication according to law.  
31

32  
33 PASSED AND APPROVED this 8th day of December, 1997.  
34  
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CITY OF BELLEVUE

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41 By: Ray M. Boyd  
42 Mayor  
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Danely Hidy  
City Clerk

First Reading: November 10, 1997

Second Reading: November 24, 1997

Third Reading: December 8, 1997

# ORDINANCE RECORD

No. 728-REDFIELD & COMPANY INC., OMAHA

ORDINANCE NO. 3560

AN ORDINANCE TO AMEND THE SALARY AND COMPENSATION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF BELLEVUE NEBRASKA; TO REPEAL ORDINANCE NO. 2976 AND TO DECLARE AN EFFECTIVE DATE.

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

Section 1. Commencing with the terms beginning on or after December 13, 2010, the Mayor and City Council members shall receive for their salaries and compensation the following amounts:

Mayor	\$15,000.00 per annum
City Council Members	\$11,000.00 per annum

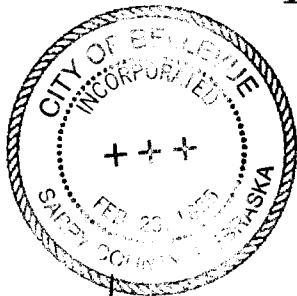
Section 2. In addition to the salaries established in Section 1 of this Ordinance, the Mayor and City Council members shall be entitled to purchase the same benefits for health and dental care coverage that is currently offered to the City's department heads and directors, and the purchase of such coverage by any members of the Council or the Mayor shall not be an expense of the City.

Section 3. The salaries of the Mayor and City Council shall be paid in such sums, at such intervals and in such manners as may be determined by the City Council.

Section 4. That Ordinance No. 2976 and all other ordinances in conflict herewith are hereby repealed.

Section 5. That this Ordinance shall be in full force and take effect on December 13, 2010.

PASSED AND APPROVED this 22nd day of March, 2010.



CITY OF BELLEVUE

By:

Tony W. Ha  
Mayor

ATTEST:

Gay Dammas  
City Clerk

First Reading 2-8-10

Second Reading 2-22-10

Third Reading 3-8-10 Laid Over  
3-22-10

APPROVED AS TO FORM:

D. J. Sullivan  
City Attorney

14a.  
7/16/19

CITY OF BELLEVUE, NEBRASKA  
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE:	7-16-19	AGENDA ITEM TYPE:
SUBMITTED BY:  Susan Kluthe, City Clerk	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:

Event License Application - Kevin Power - Private Annual Charity Event

SYNOPSIS:

Kevin Power is hosting his 5th Annual Private Charity Event to raise donations for the Bellevue Food Pantry, at his home at 108 Fox Meadow Court, on Saturday, 7-27-19 from 7 p.m. to 11:00 p.m, with live music. Please see the recommendations from the Police, Parks, and Street Departments.

FISCAL IMPACT:

\$50 event fee - waived

BUDGETED ITEM: ☐ YES ☐ NO

PROJECT # & TRACKING INFORMATION:

n/a

RECOMMENDATION:

Recommendation to approve Event Application for Kevin Power to host his 5th Annual Private Charity Event, to raise donations for the Bellevue Food Pantry, at his home - 108 Fox Meadow Court, on Saturday, 7-27-19 from 7 p.m. to 11:00 p.m, with live music and to waive the \$50 Event Fee

BACKGROUND:

This is a private event which doesn't require an Event Application but applicant is trying to pro actively address the issue with police being called at 10:00 every year due to music. By going through Event Application Process with Police being informed, Mr. Power stated it is embarrassing for them, their guests, and probably the officer being sent out. We do not want to be a problem for our police force as my entire neighborhood are their greatest fans. They just want to be able to have their 1-man band perform until the noise ordinances cuts them off at 11:00 p.m. See Police, Park, and Street Dept. recommendations.

ATTACHMENTS:

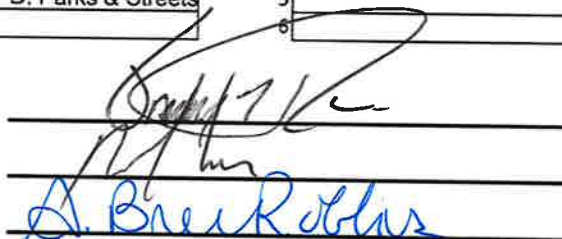
1 Application	4
2 Comments from PD, Parks & Streets	5
3	6

SIGNATURES:

ADMINISTRATOR APPROVAL:

FINANCE APPROVAL:

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: 6-26-19

APPLICANT (Name/Address/Phone #): Kevin Power/ 108 Fox Meadow Court/402-960-2579

CORPORATION (Name/Address): NA

CORPORATION OFFICERS: NA

PROPOSED ACTIVITY: 5<sup>th</sup> Annual Private Charity Event to raise donations for the Bellevue Food Pantry

DAY/DATE OF PROPOSED ACTIVITY: Saturday/7-27-19

LOCATION OF PROPOSED ACTIVITY: Same as above

HOURS OF OPERATION: 7-11 pm for live music...

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

1. Sanitary Facilities: House
2. Running Water: House
3. Power: House
4. Parking: Neighborhood streets and driveways -all neighbors in Fox Meadow development attend...
5. Insurance: Personal home insurance

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

Please address any specific requests to the Police/Parks/Streets Department on the 2<sup>nd</sup> 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. **NA - This is a Private event. Intent behind the event is to have a different theme each year so different people are exposed to the idea of combining their own events with some benefit for their local charity. This year it is a reunion of doctors and nurses from the old Clarkson Hospital. We supply the venue, food and drink for free to all who are invited to attend in return for their donations to the charity. Last year we had a food truck in our culisac which was approved by our neighborhood. We might be doing this again this year as well. No commerce or exchange of money occurs with food truck as we pay their bill. Problem we are trying to proactively address is police have shown up around 10 pm every year to tell us they received a complaint about music. This last year they informed us the City had a waiver/permit process which would allow them to ignore the complaints about music until 11 pm. It is embarrassing for us and our guests and probably the officers sent to our house. We do not want to be a problem for our police force as my entire neighborhood are their greatest fans. We just want to be able to have our 1-man-band perform until the noise ordinance cuts us off at 11 pm.**

Signature of Applicant:  Kevin C. Power

FOR CITY OFFICE USE ONLY:

Notice of Hearing published in a legal newspaper on 7-10, A.

City Council hearing date: 7-16-19

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

Police Department Requests: \_\_\_\_\_

Calls to the Sarpy County Communications  
Center (911) are likely depending on  
volume level of the music.

Parks Department Requests: \_\_\_\_\_

Street Department Requests: \_\_\_\_\_

## Susan Kluthe

---

**From:** Jim Shada  
**Sent:** Monday, July 1, 2019 5:26 PM  
**To:** Susan Kluthe  
**Subject:** Re: Event License Application - Kevin Power - Private Annual Charity Event & Recommendation Page

Parks Department has no comments.

Jim Shada

---

**From:** Susan Kluthe  
**Sent:** Monday, July 1, 2019 11:34:34 AM  
**To:** Bobby Riggs; Jim Shada; Larry Lampman; Dave Stukenholtz; Mark Blackburn  
**Cc:** Jeff Roberts  
**Subject:** Event License Application - Kevin Power - Private Annual Charity Event & Recommendation Page

Please review Event License Application and make comment on attached review form.

Thanks!

**Susan Kluthe**  
City Clerk  
City of Bellevue  
1500 Wall Street  
Bellevue, NE 68005

**From:** clerkcolorcopier@bellevue.net <clerkcolorcopier@bellevue.net>  
**Sent:** Monday, July 1, 2019 10:42 AM  
**To:** Susan Kluthe <Susan.Kluthe@bellevue.net>  
**Subject:** Attached Image



**CITY OF BELLEVUE  
EVENT LICENSE REVIEW FORM**

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

☐ Police Department  
☐ Captain Stukenholtz  
☐ Sgt. Larry Lampman

☐ Parks Department  
☐ Jim Shada  
☐ Mark Blackburn

☒ Streets Department  
☒ Bobby

☐ Public Works Department  
☐ Jeff Roberts

FROM: Susan Kluthe

DATE: July 1, 2019

SUBJECT: Request for an Event License Application for Kevin Power, to host his 5<sup>th</sup> Annual **Private** Charity Event, to raise donations for the Bellevue Food Pantry, at his home – 108 Fox Meadow Court, on Saturday, July 27, 2019 from 7 p.m. to 11:00 p.m., with live music and to waive the \$50.00 Event Fee.

Please make comments on the above request and return to Susan Kluthe, by, **July 9, 2019**. I can be reached at (402) 293-3007 or [susan.kluthe@bellevue.net](mailto:susan.kluthe@bellevue.net) if there are any questions concerning the above. If you fail to make comment or return this form by the deadline date, the City Clerk's Office will assume you have no position in this matter, and will therefore proceed accordingly.

☐ Comments

☒ No Comments

NO ADDITIONAL COMMENTS ON THE PROPOSED EVENT FROM STREET DEPARTMENT AT THIS TIME

BOBBY RIGGS - STREET SUPERINTENDENT

Signature or Fill in Your Name

JULY 1, 2019

Date



**CITY OF BELLEVUE  
EVENT LICENSE REVIEW FORM**

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

☐ Police Department  
☒ Captain Stukenholtz  
☐ Sgt. Larry Lampman

☐ Parks Department  
☐ Jim Shada  
☐ Mark Blackburn

☐ Streets Department  
☐ Bobby

☐ Public Works Department  
☐ Jeff Roberts

FROM: Susan Kluthe

DATE: July 1, 2019

SUBJECT: Request for an Event License Application for Kevin Power, to host his 5<sup>th</sup> Annual **Private** Charity Event, to raise donations for the Bellevue Food Pantry, at his home – 108 Fox Meadow Court, on Saturday, July 27, 2019 from 7 p.m. to 11:00 p.m., with live music and to waive the \$50.00 Event Fee.

Please make comments on the above request and return to Susan Kluthe, by, **July 9, 2019**. I can be reached at (402) 293-3007 or [susan.kluthe@bellevue.net](mailto:susan.kluthe@bellevue.net) if there are any questions concerning the above. If you fail to make comment or return this form by the deadline date, the City Clerk's Office will assume you have no position in this matter, and will therefore proceed accordingly.

☒ Comments

☐ No Comments

Please see the attached City Ordinances regarding nuisance, noises, waiver and the state statute for Disturbing the Peace.

Capt. DG Stukenholtz

Signature or Fill in Your Name

7-1-19

Date

Sec. 19-70. - Prohibited generally; declaration of nuisance.

Notwithstanding sections 19-2 and 19-3, it shall be unlawful and a public nuisance for any person to make, continue or cause to be made or continued within the city's zoning jurisdiction, any loud, unnecessary or unusual noise, or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others within the limits of the city's zoning jurisdiction.

(Ord. No. 3193, § 1, 2-25-2002; Ord. No. 3387, § 1(19-70), 10-24-2005)

Sec. 19-71. - Enumeration.

The acts described in this article, among others, are declared to be loud, disturbing and unnecessary noises in violation of this Code, but such enumeration shall not be deemed to be exclusive.

(Ord. No. 3193, § 1, 2-25-2002; Ord. No. 3387, § 1(19-71), 10-24-2005)

Sec. 19-72. - Horns, signaling devices.

The following shall be deemed a violation of the provisions of this article:

- (1) The sounding of any horn or signaling device on any automobile, motorcycle, street car or other vehicle on any street or public place, except as a danger warning.
- (2) The creation by means of any such signaling device of any unreasonably loud or harsh sound and the sounding of any such device for any unnecessary and unreasonable period of time.
- (3) The use of any signaling device except one operated by hand or electricity.
- (4) The use of any horn, whistle or other device operated by engine exhaust.
- (5) The use of any such signaling device when traffic is for any reason held up.

(Ord. No. 3387, § 1(19-72), 10-24-2005)

Sec. 19-73. - Radios, phonographs, etc.

(a) *Prohibitions.* The following shall be deemed a violation of the provisions of this article:

- (1) The using, operating or permitting to be played, used or operated any radio receiving set, musical instrument, phonograph or other machine or device for the producing of sound in such manner as to disturb the peace, quiet and comfort of the neighboring inhabitants or at any time with louder volume than is necessary for convenient hearing for the person or persons who are in the room, vehicle or chamber in which such machine or device is operated and who are voluntarily listeners thereto.
- (2) The operation of any such radio, musical instrument, phonograph, or other machine or

device between the hours of 11:00 p.m. and 7:00 a.m. in such a manner as to be plainly audible at a distance of 50 feet from the building, structure or vehicle in which it is located shall be prima facie evidence of a violation of this article.

(b) *Waiver.*

- (1) Provided, however, that the city council hereby finds and declares that it is in the best interests of the general public and welfare that subsection (a) be waived from time to time upon proper consideration of the facts and circumstances surrounding certain events to be held at public-use facilities.
- (2) The city council may waive the above provisions so as to permit the use, operation, or playing of any such radio receiving set, musical instrument, phonograph, or other machine or device for the production of sound at any fully enclosed, public-use facility during the hour from 11:00 p.m. to 12:00 a.m. (midnight); upon the application of any eligible organization or individual.
- (3) At such time as any individual or organization makes application for the use of a city-owned facility, the application shall specify whether such waiver is requested. As to any other public use facility, the application for a waiver may be made to the city clerk. At the next occurring regularly scheduled city council meeting, the city council shall consider the application and the relevant surrounding facts and circumstances and shall determine whether or not it is in the general public interest to grant the said one-hour waiver.
- (4) The relevant surrounding facts and circumstances upon which such determination shall be based shall include (but not be limited to) the following items:
  - a. If an organization, the nature and purpose of the organization;
  - b. The purpose of the function for which the waiver is requested; and
  - c. The prior experience of the city in its contacts and dealings with the requesting individual or organization.

(Ord. No. 3193, § 1, 2-25-2002; Ord. No. 3387, § 1(19-73), 10-24-2005)

**28-1322. Disturbing the peace; penalty.**

(1) Any person who shall intentionally disturb the peace and quiet of any person, family, or neighborhood commits the offense of disturbing the peace.

(2) Disturbing the peace is a Class III misdemeanor.

**Source:** Laws 1977, LB 38, § 306.

**Annotations**

The State cannot constitutionally criminalize speech under this section solely because it inflicts emotional injury, annoys, offends, or angers another person. But speech can be criminalized under this section if it tends to or is likely to provoke violent reaction. *State v. Drahota*, 280 Neb. 627, 788 N.W.2d 796 (2010).

Under subsection (1) of this section, the definition of breach of the peace is broad enough to include the offense of disturbing the peace; it signifies the offense of disturbing the public peace or tranquility enjoyed by citizens of a community. The term "breach of the peace" is generic and includes all violations of public peace, order, or decorum, or acts tending to the disturbance thereof. Provocative language consisting of profane, indecent, or abusive remarks directed to the person of the hearer may amount to a breach of the peace, and such language constitutes "fighting" words, which are not constitutionally protected forms of speech. *State v. Broadstone*, 233 Neb. 595, 447 N.W.2d 30 (1989).



14b.  
7/16/19

CITY OF BELLEVUE, NEBRASKA  
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE:	07/16/19	AGENDA ITEM TYPE:	
SUBMITTED BY:  Susan Kluthe, City Clerk		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 for a 5k, 10k, and Half-Marathon

SYNOPSIS:

The Freedom Running Company is hosting a 5k, 10k, and Half Marathon, raising funds for the "War on Terror Memorial" on September 7, 2019, using American Heroes Park and surrounding areas from 6:00 a.m. to 12:00 p.m.

FISCAL IMPACT:

\$50 Event License Fee

BUDGETED ITEM: ☐ YES ☒ NO

PROJECT # & TRACKING INFORMATION:

--

RECOMMENDATION:

Approval of Event for Freedom Running Company to host a 5k, 10k, Half-Marathon in American Heroes Park and surrounding areas on Saturday, September 7, 2019 from 6:00 a.m. to 12:00 p.m., with proceeds donated to the "The War on Terror Memorial" in American Heroes Park.

BACKGROUND:

Freedom Running Company is sponsoring this event. Profits being donated to The War on Terror Memorial in American Hero's Park.

ATTACHMENTS:

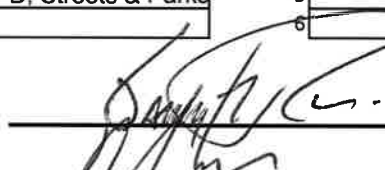
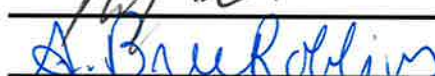
1	Application	4	
2	Comments from PD, Streets & Parks	5	
3		6	

SIGNATURES:

ADMINISTRATOR APPROVAL:

FINANCE APPROVAL:

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: 7/3/19

APPLICANT (Name/Address/Phone #): Jayne Ramos 12217 S 28th St. Bellevue NE  
402-297-5547 68123

CORPORATION (Name/Address): Freedom Running Company - same  
generationfitne@gmail.com / freedomrunningcompany.com

CORPORATION OFFICERS: Jayne Ramos

PROPOSED ACTIVITY: Memorial March 2019 (2nd Annual race)

DAY/DATE OF PROPOSED ACTIVITY: September 7, 2019 5K/10K/Halfmarathon

LOCATION OF PROPOSED ACTIVITY: American Heros Park and surrounding areas

HOURS OF OPERATION: 6am-12noon

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

1. Sanitary Facilities: Port-A-Johns (7)
2. Running Water: Bottled Water
3. Power: generator
4. Parking: American Heros Park
5. Insurance: American Family

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

Please address any specific requests of the Police/Parks/Streets Departments on the 2<sup>nd</sup> 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

**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 #: \_\_\_\_\_

**RECEIVED**

**JUL 03 2019**

**CITY CLERK**

Police Department Requests: \_\_\_\_\_

Sgt Lampman and staff.

Parks Department Requests: \_\_\_\_\_

Street Department Requests: \_\_\_\_\_

\* Non-profit charity partner War on Terror Memorial  
Funds- will go towards the non-profit.  
- gone but not forgotten, we salute to those that paid the  
ultimate sacrifice. That is the purpose of this run.  
(formally approved in March 2019, due to flooding- had to switch dates.

**CERTIFICATE OF LIABILITY INSURANCE**

American Family Insurance Company ☐  
 American Family Mutual Insurance Company if selection box is not checked.  
 6000 American Pky Madison, Wisconsin 53783-0001

Insured's Name and Address  
 Freedom Running Company  
 12217 S. 28th St  
 Bellevue, NE 68123

Agent's Name, Address and Phone Number (Agt./Dist.)  
 Kenneth R Summerfield  
 945 N Adams St Ste 8  
 Papillion, NE 68046  
 (402) 339-0200 (034/276)

**This certificate is issued as a matter of information only and confers no rights upon the Certificate Holder.**  
**This certificate does not amend, extend or alter the coverage afforded by the policies listed below.**

**COVERAGES**

This is to certify that policies of insurance listed below have been issued to the insured named above for the policy period indicated, notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the terms, exclusions, and conditions of such policies.

TYPE OF INSURANCE	POLICY NUMBER	POLICY DATE		LIMITS OF LIABILITY
		EFFECTIVE (Mo. Day, Yr)	EXPIRATION (Mo. Day, Yr)	
<b>Homeowners/ Mobilehomeowners Liability</b>				Bodily Injury and Property Damage Each Occurrence \$ ,000
<b>Boatowners Liability</b>				Bodily Injury and Property Damage Each Occurrence \$ ,000
<b>Personal Umbrella Liability</b>				Bodily Injury and Property Damage Each Occurrence \$ ,000
<b>Farm/Ranch Liability</b>				Farm Liability & Personal Liability Each Occurrence \$ ,000 Farm Employer's Liability Each Occurrence \$ ,000
<b>Workers Compensation and Employers Liability †</b>				Statutory ***** Each Accident \$ ,000 Disease - Each Employee \$ ,000 Disease - Policy Limit \$ ,000
<b>General Liability</b> <input checked="" type="checkbox"/> Commercial General Liability (occurrence) <input type="checkbox"/> <input type="checkbox"/>	PENDING	09/07/2019	09/08/2019	General Aggregate \$ 3,000,000 Products - Completed Operations Aggregate \$ 3,000,000 Personal and Advertising Injury \$ 1,000,000 Each Occurrence \$ 1,000,000 Damage to Premises Rented to You \$ 100,000 Medical Expense (Any One Person) \$ 5,000
<b>Businessowners Liability</b>				Each Occurrence†† \$ ,000 Aggregate†† \$ ,000
<b>Liquor Liability</b>				Common Cause Limit \$ ,000 Aggregate Limit \$ ,000
<b>Automobile Liability</b> <input type="checkbox"/> Any Auto <input type="checkbox"/> All Owned Autos <input type="checkbox"/> Scheduled Autos <input type="checkbox"/> Hired Auto <input type="checkbox"/> Nonowned Autos <input type="checkbox"/>				Bodily Injury - Each Person \$ ,000 Bodily Injury - Each Accident \$ ,000 Property Damage \$ ,000 Bodily Injury and Property Damage Combined \$ ,000
<b>Excess Liability</b> <input type="checkbox"/> Commercial Blanket Excess <input type="checkbox"/>				Each Occurrence/Aggregate \$ ,000

**Other (Miscellaneous Coverages)****DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / RESTRICTIONS / SPECIAL ITEMS**

Certificate holder is listed as additional insured.

Coverage for event on 9/7/19 at American Heroes Park Bellevue, NE 68005

†The individual or partners shown as insured elected to be covered under this policy. ☒ Have  
☐ Have not  
 ††Products-Completed Operations aggregate is equal to each occurrence limit and is included in policy aggregate.

**CERTIFICATE HOLDER'S NAME AND ADDRESS**

City of Bellevue  
 1500 Wall St  
 Bellevue, NE 68005

**CANCELLATION**

☒ Should any of the above described policies be cancelled before the expiration date thereof, the company will endeavor to mail \* ( 30 days) written notice to the Certificate Holder named, but failure to mail such notice shall impose no obligation or liability of any kind upon the company, its agents or representatives. \*10 days unless different number of days shown.

☐ This certifies coverage on the date of issue only. The above described policies are subject to cancellation in conformity with their terms and by the laws of the state of issue.

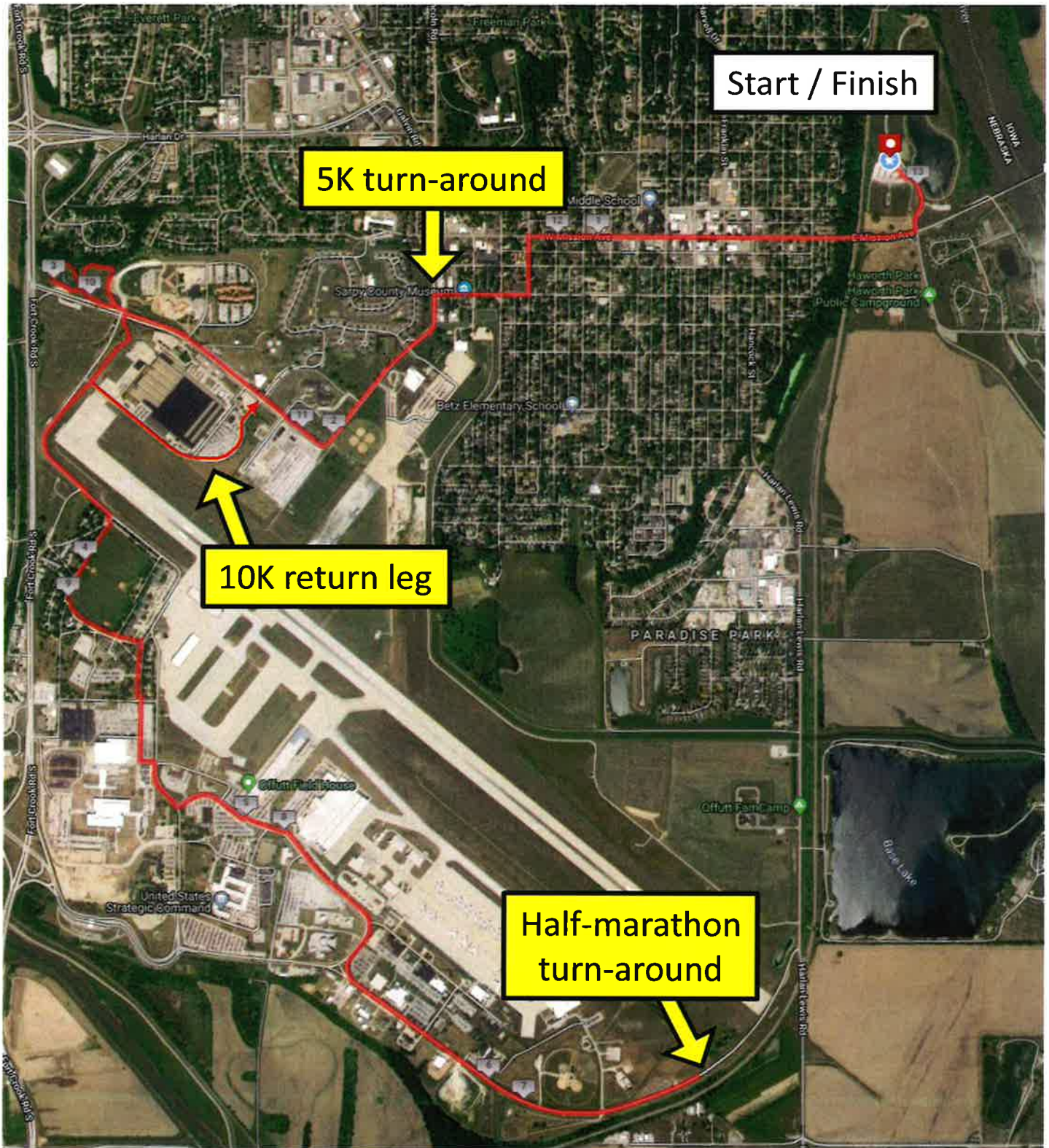
DATE ISSUED  
 07/10/2019

AUTHORIZED REPRESENTATIVE  
 Meagan Summerfield

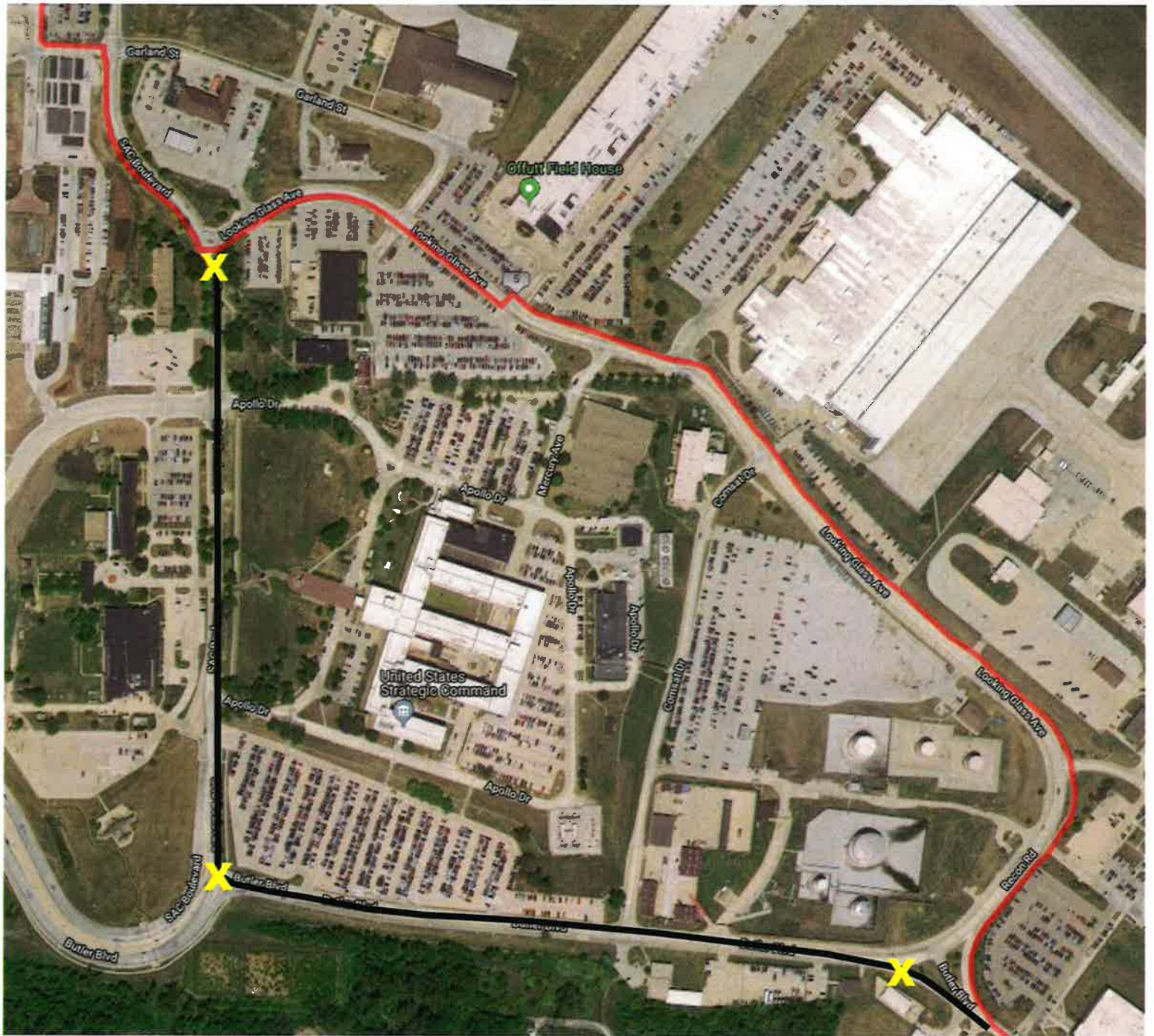


## Memorial March 2019

9-11 Memorial parking lot in American Heroes Park to Jerry Ryan Plaza to Mission Ave  
Mission Ave to Crawford St to W 24th Ave to Lincoln Rd (**5K turn-around at W 24th Ave and Lincoln Rd**)  
Lincoln Rd to Nelson Dr (Bellevue Gate)  
Nelson Dr to path around KC-135/B-52 to SAC Blvd path (**10K takes Peacekeeper Dr to Nelson Dr**)  
SAC Blvd to Custer Dr (west side of parade field foot path)  
Custer Dr to Lincoln Hwy (south end of parade field foot path, past the battlefield cross)  
Lincoln Hwy to NCO Row  
NCO Row to Garland St (cross Grants Pass, along commissary east parking lot)  
Garland St to SAC Blvd  
SAC Blvd to Looking Glass Ave to Recon Rd to Butler Blvd  
Butler Blvd near East Gate (**half-marathon turn-around**)









**CITY OF BELLEVUE  
EVENT LICENSE REVIEW FORM**

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

☐ Police Department  
☒ Captain Stukenholtz  
☐ Sgt. Larry Lampman

☐ Parks Department  
☐ Jim Shada  
☐ Mark Blackburn

☐ Streets Department  
☐ Bobby

☐ Public Works Department  
☐ Jeff Roberts

FROM: Susan Kluthe

DATE: July 8, 2019

SUBJECT: Request for an Event License Application for Freedom Running Company for a 5k, 10k, and Half-Marathon, in American Heroes Park and surrounding areas, on Saturday, September 7, 2019, from 6:00 a.m. to 12:00 p.m.

Please make comments on the above request and return to Susan Kluthe, by, **July 10, 2019**. I can be reached at (402) 293-3007 or [susan.kluthe@bellevue.net](mailto:susan.kluthe@bellevue.net) if there are any questions concerning the above. If you fail to make comment or return this form by the deadline date, the City Clerk's Office will assume you have no position in this matter, and will therefore proceed accordingly.

☐ Comments

☒ No Comments

**Capt. DG Stukenholtz**

**7-10-19**

Signature or Fill in Your Name

Date

## Susan Kluthe

---

**From:** Larry Lampman  
**Sent:** Tuesday, July 9, 2019 10:33 AM  
**To:** Susan Kluthe  
**Subject:** Fwd: Proposed route Freedom  
**Attachments:** Proposed Route - 2019 05 31.pdf; ATT00001.htm

Here is a copy of the route. I will be in tomorrow from vacation. This looks appropriate to me.

Thanks,  
Larry

Sent from my iPhone

Begin forwarded message:

**From:** Jayme Ramos <[freedomrunningcompany@gmail.com](mailto:freedomrunningcompany@gmail.com)>  
**Date:** July 8, 2019 at 3:44:44 PM CDT  
**To:** Larry Lampman <[larry.lampman@bellevue.net](mailto:larry.lampman@bellevue.net)>  
**Subject:** Fwd: Proposed route Freedom

Running company

Hi Larry,

Were you able to look at this route?

Could we come in and take rig you for 15-20 minutes?

Thanks,

Jayme

----- Forwarded message -----

**From:** Jayme Ramos <[freedomrunningcompany@gmail.com](mailto:freedomrunningcompany@gmail.com)>  
**Date:** Mon, Jun 24, 2019 at 9:49 PM  
**Subject:** Proposed route  
**To:** <[larry.lampman@bellevue.net](mailto:larry.lampman@bellevue.net)>

--  
Jayme Ramos  
Founder/Director of Freedom Running

[www.freedomrunning.org](http://www.freedomrunning.org)  
402-297-5547





**CITY OF BELLEVUE  
EVENT LICENSE REVIEW FORM**

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

☐ Police Department  
☐ Captain Stukenholtz  
☐ Sgt. Larry Lampman

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☐ Jim Shada  
☐ Mark Blackburn

☒ Streets Department  
☒ Bobby

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☐ Comments

☒ No Comments

Bobby Riggs

Signature or Fill in Your Name

July 9, 2019

Date



**CITY OF BELLEVUE  
EVENT LICENSE REVIEW FORM**

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

☐ Police Department  
☐ Captain Stukenholtz  
☐ Sgt. Larry Lampman

☒ Parks Department  
☒ Jim Shada  
☐ Mark Blackburn

☐ Streets Department  
☐ Bobby

☐ Public Works Department  
☐ Jeff Roberts

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☒ Comments

☐ No Comments

Sounds good to me, we will get the park ready when needed.

**Jim Shada**

Signature or Fill in Your Name

**7/10/2019**

Date

CITY OF BELLEVUE, NEBRASKA  
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE:	07/08/19	AGENDA ITEM TYPE:
SUBMITTED BY:  Susan Kluthe, City Clerk	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:

Public Hearing on the Appeal of a Denied Sidewalk Waiver

SYNOPSIS:

Troy Gaines, 3636 Edna Street, applied for a sidewalk waiver and was denied by Public Works. He would like to appeal the denial.

FISCAL IMPACT:

\$30.00 fee for Appeal Hearing

BUDGETED ITEM: ☐ YES ☐ NO

PROJECT # & TRACKING INFORMATION:

--

RECOMMENDATION:

--

BACKGROUND:

Sidewalk Waivers go through the Public Works Director. If denied, the applicant can appeal via a Public Hearing in front of the City Council.

ATTACHMENTS:



1 Denial letter from Public Works	4 Map of the property
2 Letter from Mr. Gaines	5
3 Pictures of the property	6

SIGNATURES:

ADMINISTRATOR APPROVAL:

FINANCE APPROVAL:

LEGAL APPROVAL:

  
\_\_\_\_\_  
  
\_\_\_\_\_

After recording, return original to City of Bellevue Public Works, 1510 Wall Street, Bellevue Nebraska 68005.

**CITY OF BELLEVUE  
TEMPORARY WAIVER OF SIDEWALK CONSTRUCTION**

TO WHOM IT MAY CONCERN, I/We Troy Gaines owner(s) on record  
of property located at 3636 Edna St, legally described as follows:  
Bellevue NE 68147

Lot 15, Block 5, Good Luck Addition, Sarpy  
County, Nebraska

acknowledge that our building permit from the city of Bellevue requires sidewalks be installed according to  
Bellevue Ordinance No. 2778, Article II of Chapter 28 of The Code of the City of Bellevue, Nebraska.

As of this date 09/17/2018 the existing conditions of the area adjacent to the above described property  
are not favorable for sidewalk construction, will create an undue hardship and, a waiver of same will have no  
adverse affect on public safety.

Therefore, I/We request a temporary waiver of Bellevue's requirement to install sidewalks prior to issuance of the  
Occupancy Permit. I/We agree to waive the right to protest the establishment of a sidewalk district and/or paving  
district if and when such district is directed by the City Council of Bellevue, Nebraska. This document will be  
recorded with the Register of Deeds in Sarpy County Nebraska, shall be part and parcel of the legal abstract of the  
described property and shall apply to all my heirs and assigns.

Signed [Signature]

Signed \_\_\_\_\_

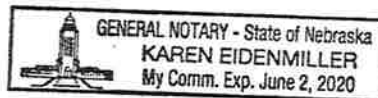
STATE OF NEBRASKA)

) ss.

COUNTY OF SARPY )

Before me, a Notary Public qualified for said County, personally came Troy Gaines,  
known to me to be the identical person(s) who signed the foregoing instrument and acknowledged the execution  
thereof to be their voluntary act and deed.

Notary: Karen Eidenmiller



\*\*\*\*\*

This request has been reviewed and approved by: \_\_\_\_\_  
Jeffrey L. Roberts, Public Works Director

STATE OF NEBRASKA)

) ss.

COUNTY OF SARPY )

Before me, a Notary Public qualified for said County, personally came \_\_\_\_\_, known  
to me to be the identical person who signed the foregoing instrument and acknowledged the execution thereof to be  
their voluntary act and deed.

Notary: \_\_\_\_\_

*Denied, this doesn't meet the  
criteria of a rural section. This  
denial can be appealed to the  
City Council for the waiver.*

*[Signature]*

**Troy Gaines**  
**gainestroy@gmail.com**  
**3636 Edna St**  
**Bellevue NE 68147**  
**July 02, 2019**

**CITY OF BELLEVUE PUBLIC WORKS**

**1500 WALL St**

**Bellevue NE 68005**

Dear public works,

On August 14th 2018, my father died and as such I began to make arrangements to accommodate my mother.

We came to the conclusion based on our budget, that our best option was to build an addition.

I am requesting that the side walk clause for new construction for new construction be waived. For the following reasons:

- 1) Sidewalk would not tie into neighbor's sidewalk as neighbor's sidewalks do not exist.**
- 2) Existing mature walnut and pear trees would have to be removed since the construction of the sidewalk would cut into and remove half of the root system and cause structural instability to the trees. If not removed the trees would inevitably fall into the house to the east.**
- 3) A 43-foot-long retaining wall would have to be built to support the natural slope of the terrain.**
- 4) Water main and gas main run underneath where the proposed sidewalk is to be installed.**
- 5) There is limited travel by walkers on this street.**
- 6) The walker would have to walk from the street, to the sidewalk and back to the street if the sidewalk were to be used.**
- 7) The look of the home would be substantially changed and would not be appealing. In addition, it would be the only house in the neighborhood to have a sidewalk.**

**RECEIVED**

**JUL 08 2019**

**CITY CL**

8) The cost of tree removal, dirt work and retaining wall would be \$12,000.00 plus;

- Walnut tree removal \$3,300.00
- Pear tree removal \$1,500.00
- Sidewalk \$5,200.00
- Retaining wall \$2,100.00

Based on multiple quotes we've received to have this work done.

9) The property would not be physically improved.

The home is on a corner lot and the proposed sidewalk would wrap around the entire west and south sides of the house.

I appreciate your consideration of waiving the sidewalk clause.

Thank you for your help in this matter

Sincerely

Troy Gaines

RECEIVED  
JUL 08 2019  
CITY CLERK



## 3636 Edna Street



### Location



### Legend

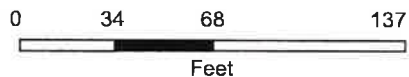
Road Centerlines

2018 Aerial Photo

- Red: Band\_1
- Green: Band\_2
- Blue: Band\_3



1: 822



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](http://maps.sarpy.com)



















## City of Bellevue

Public Works Administration

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

September 20, 2018

Troy Gaines  
3636 Edna Street  
Bellevue, NE 68147

Dear Mr. Gaines:

On September 17, 2018, you submitted a request for a temporary waiver of sidewalk construction at 3636 Edna Street, Bellevue, Nebraska. According to Section 28-32 of The Code of the City of Bellevue, Nebraska, the public works director or his designee may waive the requirement for the construction of a sidewalk if a substantial hardship is created and it would have no adverse effect on public safety. After a visual inspection of the property, it has been determined that this doesn't meet the criteria of a rural section. Therefore, I must deny your request for a temporary waiver of sidewalk construction.

According to Section 28-38 of The Code of the City of Bellevue, Nebraska, you have the right to appear before City Council to hear your request. The request for a waiver must be submitted in writing to the city clerk stating the specific reasons for the waiver. There is also a filing fee of thirty dollars (\$30).

If you have any questions, please contact me at (402) 293-3025.

Sincerely,

Jeffrey L. Roberts, P.E.  
Public Works Director

JLR/ke

Mailing Address: 1500 Wall Street • Bellevue, Nebraska 68005



RECEIVED

JUL 08 2019

CITY CLERK



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

## Sidewalk Waiver Policy

When a Temporary Waiver of Sidewalk Construction is requested, the Public Works Director or his/her designee will make the determination and have this determination consistent with the following parameters:

- If the sidewalk in question is on an unimproved road or a rural section that does not have curb and gutter or storm sewer and has a drainage ditch a waiver is granted.
- If the sidewalk in question is on an urban street the waiver is denied regardless of the lack of adjacent sidewalks and if the terrain is such that no additional appurtenances are needed such as structural retaining walls or the relocation of utilities, etc.
- If the sidewalk in question is on an urban street the waiver can only be granted if the cost for prep work for the sidewalk far exceeds the value of the actual sidewalk construction.
- Depending on the amount of build-out a sidewalk district is created and, as its stated in the waiver, all in the district will be required to construct a walk even on a rural section which will then be improved with curb and gutter and storm sewer and will be assessed to the property owners based on property footage. These districts can only be approved by Council through an ordinance.

Adopted August 5, 2016

Mailing Address: 1500 Wall Street • Bellevue, Nebraska 68005



CITY OF BELLEVUE, NEBRASKA  
AGENDA ITEM COVER SHEET

\*15a.  
7/16/19

COUNCIL MEETING DATE:	07/16/2019	AGENDA ITEM TYPE:	
SUBMITTED BY:  Finance Director		SPECIAL PRESENTATION	<input type="checkbox"/>
		LIQUOR LICENSE	<input type="checkbox"/>
		ORDINANCE	<input type="checkbox"/>
		PUBLIC HEARING	<input type="checkbox"/>
		RESOLUTION	<input checked="" type="checkbox"/>
		CURRENT BUSINESS	<input type="checkbox"/>
		OTHER (SEE CLERK)	<input type="checkbox"/>

SUBJECT:

**Resolution Approving 2019-2023 Consolidated Plan & 2019 Action Plan**

SYNOPSIS:

The City conducted a public hearing at the July 2nd council meeting. Those comments were received have been included in the plans. The CDBG 2019-2023 Consolidated Plan, outlining the goals and priorities for entitlement funding during the next five years, and the 2019 Action Plan, outlining the projects for FY2019 to meet the goals and priorities, is presented for final vote.

FISCAL IMPACT:

\$355,531 in 2019 CDBG entitlement allocation and \$125,000.81 in reallocated funds from previous allocations.

BUDGETED ITEM: ☒ YES ☐ NO

GRANT/MATCHING FUNDS ☒ YES ☐ NO

IF NO, EXPLAIN:

IF YES, %, \$, EXPLAIN:

The City receives annual entitlement grant funds from CDBG reimbursed as funds are expended. Entitlement funds do not require match funding.

PROJECT NAME, CALENDAR AND CODING:

Requestor	Project Name:	*Projects will be named and coded following Council and HUD approval	
	Expected Start Date:	01/01/2020	Expected End Date: 12/31/2020
	CIP Project Name:		
	MAPA # and Name:		
	Street District # and Name:		
Finance	Distribution Code:	CDBG-191901, ect.	
	GL Account #:	[Fund-Dept-Project-Subproject-Funding Source-Cost Center]	
	GL Account Name:		

RECOMMENDATION:

Approve Resolution and authorize Mayor to sign the SF-424 Application for Assistance and Certifications.

BACKGROUND:

As an entitlement community for Community Development Block Grant (CDBG) funds, the City is required to prepare a five-year Consolidated Plan that outlines the priorities and goals for CDBG funding and an Annual Action Plan that outlines the specific projects that will be funding during the next fiscal year to meet the priorities and goals. An application cycle was held and following eligibility review by staff, the CDBG Committee reviewed each application, held a public hearing, and prepared a funding recommendation which is included in the Action Plan (see attachment). The Notice of Availability & Public Hearing for the draft plans was published June 12, 2019. The public hearing was held during the July 2nd council meeting and comments have been included in the plan.

ATTACHMENTS:

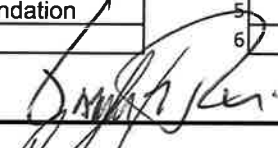

1	Consolidated Plan Priorities/Goals	4	SF424, SF424D, and Certifications
2	2019 Funding Recommendation	5	
3	Resolution 2019-20	6	

SIGNATURES:

ADMINISTRATOR APPROVAL:

FINANCE APPROVAL:

LEGAL APPROVAL:



## 2019-2023 CONSOLIDATED PLAN PRIORITIES & GOALS

The priorities and goals listed below are prioritized as arranged from high to low.

### 1. Priority Need Name: Encourage Economic Development through Business Development and Job Creation

- a. Increase rehabilitation of existing commercial building
  - i. Provide assistance to building owners to address code violations, infrastructure requirements, and façade improvements
- b. Increase employment opportunities
  - i. Provide assistance for the development of new business and the expansion of existing businesses
  - ii. Review available employment opportunities and work with businesses to develop and implement job training to fill existing openings
- c. Expand accessibility and Availability of transportation
  - i. Continue to work with community partners to identify areas of need for transportation options

### 2. Priority Need Name: Improve and Expand Available and Accessible Public Infrastructure and Buildings.

- a. Improve existing public facilities
  - i. Support revitalization efforts for public facilities to create economic development opportunities
  - ii. Support project that provide leveraging funds to increase impact of project
- b. Reverse deterioration in existing neighborhoods
  - i. Provide assistance to remove barriers to accessibility
  - ii. Address public facilities that are not up to existing standards to create sustainable neighborhoods

*AFFH GOAL - Identify prospects to address Bellevue's aging infrastructure and necessary updates to ensure all residents have accessibility to services.*

- i. *Work with the City of Bellevue ADA Committee to review current status of ADA Transition plan and infrastructure needs in the community along with identifying funding sources for assistance.*
- ii. *Develop programs and assistance to address housing accessibility modification needs.*

### 3. Priority Need Name: Increase Housing Availability and Sustainability

- a. Sustain the current available housing stock
  - i. Provide assistance to low- and moderate-income homeowners to assist make affordable any necessary repairs that put health and safety at risk.
- b. Increase the development of affordable housing units
  - i. Support efforts to increase affordable housing units through acquisition and rehabilitation.
  - ii. Review options of infill development utilizing vacant lots and reducing vacant building blight.
  - iii. Assist community partners with efforts to address housing needs of elderly, disable, small families, and at-risk low- and moderate-income individuals and families

*AFFH Goal: Increase affordable housing opportunities to expand housing choice by increasing quality and quantity of affordable housing units and the number of participating landlords in the jurisdiction.*

- i. *Research partners and funding sources to conduct a housing market study for the community and identify opportunities to use the study to enhance development and developer partnerships*
- ii. *Review possible developer incentives to increase development of affordable housing and meet with necessary partners to develop, prepare and adopt incentives.*
- iii. *Determine prospects to increase the available funding and programs for housing rehabilitations programs in the community.*
- iv. *Work with City officials and departments to review current criteria for determining city project need to include accessibility and housing issues.*

*AFFH Goal: Identify opportunities to safeguard current and future zoning ordinances to encourage the development of affordable housing stock as well as utilize occupancy requirements that do not hinder fair housing choice.*

- i. *Work with local planning department to review current land zoning and develop proposal to increase multi-family zoning.*
- ii. *Increase infill development opportunities by reviewing regulations and best practices to identify possible changes to the current regulations and develop proposals.*
- iii. *Research opportunities to increase the percentage of newly constructed housing units that are affordable and accessible to people with disabilities.*

*AFFH Goal: Increase homeownership opportunities through financial literacy and promoting equitable access to credit and home lending.*

- i. *Identify partners, specifically lending agencies, to assist with reviewing current lending concerns to identify areas of opportunities for education and assistance.*
- ii. *Enhance educational materials and expand distribution and availability of materials.*

### 4. Priority Need Name: Administration of CDBG Program

- a. Administration of the CDBG programs.

## 5. Priority Need Name: Increase and Expand Public Service Availability

- a. Increase and expand public services that address resident needs
  - i. Identify community partners and support efforts to create or expand public services that support identified needs in the community, including, but not limited to elderly, disabled, mental health, senior, and crime awareness services.

*AFFH Goal: Increase the overall knowledge and understanding of fair housing with the community's developers, real estate professionals, financial institutions, elected officials and residents.*

- i. *Identify interested partners to facilitate fair housing workshops for landlords and housing providers*
- ii. *Share and distribute fair housing information for renters.*
- iii. *Work with local multi-family housing providers to provide information and education about fair housing to managements officials and tenants.*

*AFFH Goal: Provide opportunities to alter the perceptions of community exclusion and diffuse opposition to affordable housing through knowledge and education.*

- i. *Research proactive marketing strategies to enhance community image and identify community stakeholders to assist with development of community strategies to propel movement forward.*
- ii. *Identify possible funding sources to assist with marketing strategies specific for the community.*

### 2019 ACTION PLAN FUNDING RECOMMENDATION

Applicant/Project	Requested Funding	Recommended Funding
<b>Acquisition/Demolition</b>		
<b>Habitat for Humanity of Sarpy County – 2020 Land Purchase</b> Request funding to purchase on or more plots of land for the development of affordable housing. The lots will be in city limits of Bellevue and assist with the 2020 home build project.	\$ 50,000.00	\$ 22,000.00
<b>Habitat for Humanity of Sarpy County – 2020 Demolition Assistance</b> Request funding to assist with demolition of condemned and/or blighted houses affected by flooding in Bellevue and Sarpy County.	\$ 150,000.00	\$ -
<b>Public Facilities and Improvements</b>		
<b>City of Bellevue – Chandler Hills Paving Improvement and Reconstruction Project</b> Request funding for the removal and reconstruction of the pavement, installation of curb and gutter, and replacement of the guardrail on 17 <sup>th</sup> Street between Sydney Street and Josephine Street.	\$ 320,200.00	\$ 260,631.81
<b>City of Bellevue – Washington Park Improvement</b> Request funding for park improvements including installation of ADA sidewalks, curb ramps, and paths; play structure replacement and improvement with ground covering, and picnic shelter.	\$ 114,900.00	\$ 114,900.00
<b>Housing</b>		
<b>Housing Foundation of Sarpy County – Capacity Building and Development</b> Request funding to complete capacity building for the Foundation in preparation of the conversion of 51 units of public housing to the Foundation. All units are located within Bellevue city limits.	\$ 50,000.00	\$ 10,000.00
<b>Public Services</b>		
<b>Bellevue Junior Sports Association – Sports Participation Assistance Program</b> Request funding to offer a participation assistance for registration and equipment fees to low- and moderate-income households within city limits. Assistance will be open to all sports programs offered by application.	\$ 8,000.00	\$ 8,000.00
<b>Heartland Family Service – Housing Navigation Program</b> Request funding to provide housing navigation services, supportive services and assistance with employment and	\$ 39,780.00	\$ 15,000.00

income support to those in Bellevue at imminent risk of homelessness		
<b><i>Economic Development</i></b>		
<b>MRJC Holdings, LLC – One01 Mission Building</b> Request funding to assist with façade improvements including window replacement at the building on the corner of Franklin Street and Mission Street in Olde Towne Bellevue.	\$ 57,500.00	\$ -
<b><i>Administration and Planning</i></b>		
<b>City of Bellevue - Administration</b> Request funding for general management, oversight, coordination, and staff expense for the CDBG program.	\$ 50,000.00	\$ 50,000.00
<b><i>Total CDBG Funding</i></b>		
	<b>\$ 840,380.00</b>	<b>\$ 480,531.81</b>

**RESOLUTION NO. 2019-20**

**A RESOLUTION ADOPTING THE 2019-2023 CONSOLIDATED PLAN FOR COMMUNITY DEVELOPMENT PROGRAMS, INCLUDING THE 2019 ACTION PLAN AND COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM BUDGET FOR THE OCTOBER 2019 – SEPTEMBER 2020 PROGRAM YEAR, AND AUTHORIZING THE MAYOR TO SUBMIT THE PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.**

**WHEREAS**, the 2019-2023 Consolidated Plan replaces all current planning and application requirements of the Community Planning and Development Programs funded by the U.S. Department of Housing and Urban Development; and

**WHEREAS**, the consolidated programs include Community Development Block Grant; Home Investment Partnership program, Emergency Shelter Grants and Housing Opportunities for Persons with AIDS; and

**WHEREAS**, the City of Bellevue has conducted public hearings and has received public input concerning the development of the Five-Year Consolidated Plan and informed residents of the proposed plan of activities and budget levels included in the Action Plan for Fiscal Year 2019; and

**WHEREAS**, the Five-Year Consolidated Plan contains the HUD Form 424; a Housing Market Analysis; a Housing and Homeless Needs Assessment; a Non-Housing Community Needs Assessment; a Strategic Plan and an annual Action Plan for the current funding year and the required certifications of eligibility for federal assistance.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and City Council of the City of Bellevue, Nebraska, as follows

- (a) The Council has reviewed the 2019-2023 Consolidated Plan which includes the plan for expenditure of Community Development Block Grant program funds and activities scheduled for October 2019- September 2020 and find it to be consistent with the overall objectives of the Housing and Community Development Act and local neighborhood redevelopment strategies.
- (b) The Council, after evaluation of all the pertinent information presented, authorize the Mayor to submit on behalf of the City of Bellevue, the 2019-2023 Consolidated Plan and 2019 Action Plan for Community Planning and Development Programs for the October 2019 – September 2020 Program Year.

**PASSED, APPROVED AND ADOPTED** by the Mayor and City Council of the City of Bellevue, State of Nebraska, on this 16<sup>th</sup> day of July 2019.

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

(SEAL)

ATTEST:

\_\_\_\_\_  
Susan Kluthe, City Clerk

### Application for Federal Assistance SF-424

**\* 1. Type of Submission:**

- ☐ Preapplication  
☒ Application  
☐ Changed/Corrected Application

**\* 2. Type of Application:**

- ☒ New  
☐ Continuation  
☐ Revision

**\* If Revision, select appropriate letter(s):**

**\* Other (Specify):**

**\* 3. Date Received:**

**4. Applicant Identifier:**

47-6006099

**5a. Federal Entity Identifier:**

47-6006099

**5b. Federal Award Identifier:**

**State Use Only:**

**6. Date Received by State:**

**7. State Application Identifier:**

**8. APPLICANT INFORMATION:**

**\* a. Legal Name:**

CITY OF BELLEVUE

**\* b. Employer/Taxpayer Identification Number (EIN/TIN):**

47-6006099

**\* c. Organizational DUNS:**

0541562600000

**d. Address:**

**\* Street1:**

1500 WALL STREET

**Street2:**

**\* City:**

BELLEVUE

**County/Parish:**

SARPY

**\* State:**

NE: Nebraska

**Province:**

**\* Country:**

USA: UNITED STATES

**\* Zip / Postal Code:**

68005-3675

**e. Organizational Unit:**

**Department Name:**

FINANCE DEPARTMENT

**Division Name:**

**f. Name and contact information of person to be contacted on matters involving this application:**

**Prefix:**

MS.

**\* First Name:**

ABBY

**Middle Name:**

**\* Last Name:**

HIGHLAND

**Suffix:**

**Title:** CDBG PROGRAM ADMINISTRATOR

**Organizational Affiliation:**

CDBG CONSULTANT, CITY OF BELLEVUE, FINANCE DEPARTMENT

**\* Telephone Number:**

402-293-3000

**Fax Number:**

402-293-3058

**\* Email:**

abby.highland@outlook.com

## Application for Federal Assistance SF-424

### \* 9. Type of Applicant 1: Select Applicant Type:

C: City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

\* Other (specify):

### \* 10. Name of Federal Agency:

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

### 11. Catalog of Federal Domestic Assistance Number:

14.218

CFDA Title:

COMMUNITY DEVELOPMENT BLOCK GRANT/ENTITLEMENT GRANTS

### \* 12. Funding Opportunity Number:

\* Title:

### 13. Competition Identification Number:

Title:

### 14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment

Delete Attachment

View Attachment

### \* 15. Descriptive Title of Applicant's Project:

PROJECTS TO BE FUNDED WITH B-19 CDBG ENTITLEMENT FUNDING INCLUDE ACQUISITION, PUBLIC FACILITIES AND IMPROVEMENTS, HOUSING, PUBLIC SERVICES, AND PROGRAM ADMINISTRATION ACTIVITIES.

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments



**Application for Federal Assistance SF-424****16. Congressional Districts Of:**\* a. Applicant \* b. Program/Project 

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

**17. Proposed Project:**\* a. Start Date: \* b. End Date: **18. Estimated Funding (\$):**

* a. Federal	<input type="text" value="355,531.00"/>
* b. Applicant	<input type="text"/>
* c. State	<input type="text"/>
* d. Local	<input type="text"/>
* e. Other	<input type="text" value="125,000.35"/>
* f. Program Income	<input type="text"/>
* g. TOTAL	<input type="text" value="480,531.35"/>

**\* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**☐ a. This application was made available to the State under the Executive Order 12372 Process for review on ☐ b. Program is subject to E.O. 12372 but has not been selected by the State for review.☒ c. Program is not covered by E.O. 12372.**\* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**☐ Yes ☒ No

If "Yes", provide explanation and attach

Add Attachment

Delete Attachment

View Attachment

**21. \*By signing this application, I certify (1) to the statements contained in the list of certifications\*\* and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances\*\* and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

☒ \*\* I AGREE

\*\* The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

**Authorized Representative:**

Prefix:  \* First Name:   
Middle Name:   
\* Last Name:   
Suffix:

\* Title: \* Telephone Number:  Fax Number: \* Email: 

\* Signature of Authorized Representative:

\* Date Signed:

## ASSURANCES - CONSTRUCTION PROGRAMS

OMB Number: 4040-0009  
Expiration Date: 02/28/2022

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington, DC 20503.

**PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.**

**NOTE:** Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards of merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681 1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction subagreements.
14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
20. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
	MAYOR
APPLICANT ORGANIZATION	DATE SUBMITTED
CITY OF BELLEVUE, NE	

## CERTIFICATIONS

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the jurisdiction certifies that:

**Affirmatively Further Fair Housing** --The jurisdiction will affirmatively further fair housing.

**Uniform Relocation Act and Anti-displacement and Relocation Plan** -- It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, (42 U.S.C. 4601-4655) and implementing regulations at 49 CFR Part 24. It has in effect and is following a residential anti-displacement and relocation assistance plan required under 24 CFR Part 42 in connection with any activity assisted with funding under the Community Development Block Grant or HOME programs.

**Anti-Lobbying** --To the best of the jurisdiction's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and
3. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

**Authority of Jurisdiction** --The consolidated plan is authorized under State and local law (as applicable) and the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations.

**Consistency with plan** --The housing activities to be undertaken with Community Development Block Grant, HOME, Emergency Solutions Grant, and Housing Opportunities for Persons With AIDS funds are consistent with the strategic plan in the jurisdiction's consolidated plan.

**Section 3** -- It will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and implementing regulations at 24 CFR Part 135.

\_\_\_\_\_  
Signature of Authorized Official

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

## Specific Community Development Block Grant Certifications

The Entitlement Community certifies that:

**Citizen Participation** -- It is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105.

**Community Development Plan** -- Its consolidated plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that have been developed in accordance with the primary objective of the CDBG program (i.e., the development of viable urban communities, by providing decent housing and expanding economic opportunities, primarily for persons of low and moderate income) and requirements of 24 CFR Parts 91 and 570.

**Following a Plan** -- It is following a current consolidated plan that has been approved by HUD.

**Use of Funds** -- It has complied with the following criteria:

1. Maximum Feasible Priority. With respect to activities expected to be assisted with CDBG funds, it has developed its Action Plan so as to give maximum feasible priority to activities which benefit low- and moderate-income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include CDBG-assisted activities which the grantee certifies are designed to meet other community development needs having particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available (see Optional CDBG Certification).

2. Overall Benefit. The aggregate use of CDBG funds, including Section 108 guaranteed loans, during program year(s) 2019 [a period specified by the grantee of one, two, or three specific consecutive program years], shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period.

3. Special Assessments. It will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108 loan guaranteed funds, by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements.

However, if CDBG funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds.

In addition, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than CDBG funds if the jurisdiction certifies that it lacks CDBG funds to cover the assessment.

**Excessive Force** -- It has adopted and is enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction.

**Compliance with Anti-discrimination laws** -- The grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the Fair Housing Act (42 U.S.C. 3601-3619) and implementing regulations.

**Lead-Based Paint** -- Its activities concerning lead-based paint will comply with the requirements of 24 CFR Part 35, Subparts A, B, J, K and R.

**Compliance with Laws** -- It will comply with applicable laws.

\_\_\_\_\_  
Signature of Authorized Official

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

### **OPTIONAL Community Development Block Grant Certification**

Submit the following certification only when one or more of the activities in the action plan are designed to meet other community development needs having particular urgency as specified in 24 CFR 570.208(c):

The grantee hereby certifies that the Annual Plan includes one or more specifically identified CDBG-assisted activities which are designed to meet other community development needs having particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community and other financial resources are not available to meet such needs.

\_\_\_\_\_  
Signature of Authorized Official

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title



## **APPENDIX TO CERTIFICATIONS**

### **INSTRUCTIONS CONCERNING LOBBYING CERTIFICATION:**

#### **Lobbying Certification**

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

CITY OF BELLEVUE, NEBRASKA  
AGENDA ITEM COVER SHEET

15b.  
7/16/19

COUNCIL MEETING DATE:		AGENDA ITEM TYPE:	
SUBMITTED BY: Chief Elbert 		SPECIAL PRESENTATION	<input type="checkbox"/>
		LIQUOR LICENSE	<input type="checkbox"/>
		ORDINANCE	<input type="checkbox"/>
		PUBLIC HEARING	<input type="checkbox"/>
		RESOLUTION	<input checked="" type="checkbox"/>
		CURRENT BUSINESS	<input checked="" type="checkbox"/>
		OTHER (SEE CLERK)	<input type="checkbox"/>

SUBJECT:

Interlocal Agreement and First Amendment between Sarpy County, Papillion, La Vista, and Bellevue for Special Weapons and Tactics Team and Crisis Negotiation

SYNOPSIS:

Approval of Resolution 2019 21 and approval of an Interlocal Agreement and First Amendment to an agreement between Sarpy County, Papillion, La Vista, and Bellevue for Special Weapons and Tactics Team and Crisis Negotiation.

FISCAL IMPACT:

No immediate fiscal impact. There may be combined purchases in the future that would be approved by the "Board" pursuant to the agreement.

BUDGETED ITEM: ☐ YES ☐ NO

GRANT/MATCHING FUNDS ☐ YES ☐ NO

IF NO, EXPLAIN:

IF YES, %, \$, EXPLAIN:

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:	[Fund-Dept-Project-Subproject-Funding Source-Cost Center]
	GL Account #:	GL Account Name:

RECOMMENDATION:

Approve Resolution 2019 - and authorize the Mayor to sign the First Amendment to the April 2, 2019 Interlocal Agreement which adds the City of Bellevue into the Interlocal Agreement.

BACKGROUND:

The Bellevue Police Department desires to join Sarpy County, La Vista, and Papillion in their Interlocal Agreement for Sarpy County Special Weapons and Tactics Team and Crisis Negotiation Unit which was entered into April 2, 2019. The First Amendment would add the City of Bellevue into the Interlocal Agreement and allow the County and the cities to join effort to provide services to the citizens of Bellevue and other areas as identified in the agreement.

ATTACHMENTS:

1	Resolution	4	
2	Interlocal Agreement	5	
3	First Amendment	6	

SIGNATURES:

ADMINISTRATOR APPROVAL:

FINANCE APPROVAL:

LEGAL APPROVAL:


**RESOLUTION NO. 2019 -21**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF BELLEVUE, NEBRASKA APPROVING AN AMENDMENT ADDING THE CITY OF BELLEVUE TO THE INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF LA VISTA, THE CITY OF PAPILLION, AND SARPY COUNTY, NEBRASKA, FOR PARTICIPATION ON THE SARPY COUNTY SPECIAL WEAPONS AND TACTICS TEAM AND CRISIS NEGOTIATION UNIT.**

WHEREAS, it has long been recognized that mutual aid between law enforcement agencies sharing similar demands is highly desirable; and

WHEREAS, the responses to critical incidents require the specialized attention of a team trained to be effective in highly volatile situations; and

WHEREAS, the police departments also recognize that delivery of these services can be done most cost-effectively and with enhanced flexibility when forces are combined and said agreement is in the best interest of the citizens of Bellevue;

WHEREAS, Sarpy County and the cities of Papillion and La Vista ("Current Participants") entered an Interlocal Agreement for participation on the Sarpy County Special Weapons and Tactics Team and Crisis Negotiation Unit dated on or about April 2, 2019, attached hereto as Exhibit "A" ("Interlocal Cooperation Agreement");

WHEREAS, the City of Bellevue ("Bellevue") and Current Participants desire to execute a First Amendment to Interlocal Agreement, attached as Exhibit B, for Bellevue to become a party to the Interlocal Cooperation Agreement effective August 1, 2019.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of Bellevue, Nebraska, hereby authorize the Mayor to execute the First Amendment to Interlocal Agreement presented with this resolution to amend and add Bellevue as a party to the Interlocal Cooperation Agreement between the City of Papillion, the City of La Vista and Sarpy County, Nebraska, for participation on the Sarpy County Special Weapons and Tactics Team and Crisis Negotiation Unit and allow for any non-substantive changes to Exhibit "A" as deemed necessary by the City Administrator.

ADOPTED AND APPROVED this \_\_\_\_\_ day of July, 2019.

---

Mayor

ATTEST:

---

City Clerk

## **FIRST AMENDMENT TO INTERLOCAL AGREEMENT**

This First Amendment is made and entered into by and between Sarpy County, Nebraska (hereinafter "County"), the City of Bellevue, located in Sarpy County, Nebraska (hereinafter "Bellevue"), the City of Papillion, located in Sarpy County, Nebraska (hereinafter "Papillion"), and the City of La Vista, located in Sarpy County, Nebraska (hereinafter "La Vista") and referred to collectively as the Parties, pursuant to the authority granted to the parties under Nebraska Revised Statute 13-801, *et seq.*

WHEREAS, pursuant to the Interlocal Cooperation Act, Nebraska Revised Statute 13-801 *et seq.*, the County, La Vista, and Papillion entered into an Interlocal Cooperation Agreement for Sarpy County Special Weapons and Tactics Team and Crisis Negotiation Unit (hereinafter "April 2, 2019 Interlocal Agreement") on or about April 2, 2019.

WHEREAS, the County, La Vista, and Papillion desire to amend the April 2, 2019 Interlocal Agreement by this First Amendment to add Bellevue as a party to the April 2, 2019 Interlocal Agreement, and by executing this First Amendment, Bellevue desires to become a party to the April 2, 2019 Interlocal Agreement.

It is mutually agreed between the parties that the following terms and conditions of the April 2, 2019 Interlocal Agreement are hereby amended to read as follows:

### **IV. Executive Board.**

- A. The Executive Board ("Board") consists of the Sarpy County Sheriff, La Vista Chief of Police, Papillion Chief of Police, and **Bellevue Chief of Police**, (or their designees).

**IX. Terms of Agreement.** This Agreement shall be effective for an initial term of three years beginning on April 1, 2019, and ending March 31, 2022; provided, however, Bellevue's participation in the Agreement shall commence beginning August 1, 2019. At the end of the initial term, this Agreement shall automatically renew for additional two-year terms ("Renewal Term"), unless otherwise terminated at any time by mutual written agreement of all the Parties.

**XXIV. Notice and Authorized Representatives.** Notice, required under this Agreement, shall be delivered in writing and shall be effective upon receipt by the authorized representative. Delivery shall be made by certified mail, return receipt requested. For purposes of Notice, following individuals are the authorized representatives of the Parties:

#### **SARPY COUNTY**

County Sheriff  
Sarpy County Sheriff's Office  
8335 Plattview Road  
Papillion, NE 68046

#### **CITY OF LA VISTA**

Chief of Police  
La Vista Police Department  
7701 South 96<sup>th</sup> Street  
La Vista, NE 68128  
(402) 331-1582

**CITY OF PAPILLION**

Chief of Police  
Papillion Police Department  
1000 East 1<sup>st</sup> Street  
Papillion, NE 68046  
(402) 597-2035

**CITY OF BELLEVUE**

**Chief of Police**  
**Bellevue Police Department**  
**1510 Wall Street**  
**Bellevue, Nebraska 68105**  
**(402) 293-3105**

Bellevue, by executing this First Amendment, shall become a party to, participate in, and be bound by, the April 2, 2019 Interlocal Agreement, as amended by this First Amendment.

The recitals above and April 2, 2019 Interlocal Agreement shall be incorporated into this First Amendment by reference.

Except as modified by this First Amendment, all other terms and conditions of the April 2, 2019 Interlocal Agreement shall remain in full force and effect and be binding on all Parties.



SARPY COUNTY SHERIFF'S OFFICE:

COUNTY OF SARPY, NEBRASKA,  
A Nebraska Political Subdivision

By: \_\_\_\_\_  
Sarpy County Board Chairman

Date: \_\_\_\_\_

Attest:

\_\_\_\_\_  
Deb Houghtaling, County Clerk

Approved as to Form:

\_\_\_\_\_  
Chief Deputy Sarpy County Attorney

PAPILLION POLICE DEPARTMENT:

CITY OF PAPILLION, NEBRASKA

A municipal corporation and Nebraska Political  
Subdivision

By: \_\_\_\_\_  
David P. Black, Mayor

Date: \_\_\_\_\_

Attest:

\_\_\_\_\_  
Nicole Brown, City Clerk

LA VISTA POLICE DEPARTMENT:

CITY OF LA VISTA, NEBRASKA

A municipal corporation and Nebraska Political  
Subdivision

By: \_\_\_\_\_  
Douglas Kindig, Mayor

Date: \_\_\_\_\_

Attest:

\_\_\_\_\_  
Pamela A. Buethe, City Clerk

BELLEVUE POLICE DEPARTMENT:

CITY OF BELLEVUE, NEBRASKA

A municipal corporation and Nebraska Political  
Subdivision

By: \_\_\_\_\_  
Rusty Hike, Mayor

Date: \_\_\_\_\_

Attest:

\_\_\_\_\_  
Susan Kluthe, City Clerk

**INTERLOCAL COOPERATION AGREEMENT FOR  
SARPY COUNTY SPECIAL WEAPONS AND TACTICS TEAM AND CRISIS  
NEGOTIATION UNIT**

THIS AGREEMENT is entered into as of this 2nd day of April, 2019, by and between the undersigned parties (hereafter individually "Party" and collectively "Parties").

**RECITALS**

WHEREAS, the Parties and their representative law enforcement agencies:

1. Wish to provide for law enforcement personnel backup and other such assistance as any of the parties may require in time of emergency or other time of need;
2. Have not only common goals, staffing needs, training needs and other needs in common in the area of law enforcement, but also overlapping demands for law enforcement responses, often to high-risk/critical incidents which require the specialized attention of a team trained specifically to be effective in highly volatile situations;
3. Expressed a desire to respond more swiftly to critical law enforcement incidents, with enhanced local control and a more consistent response, and with a combined larger group of officers than any one of the agencies could provide alone;
4. Recognize that law enforcement incidents of a serious criminal nature require the need for a specially trained and equipped team and that responses to these incidents are better served and more economical when the resources are combined to form a multi-jurisdictional special weapons and tactics/crisis negotiation team; and
5. Desire to form the Sarpy County Special Weapons and Tactics ("SWAT") Team and Crisis Negotiation Unit ("CNU") (collectively, the "SWAT and CNU Team" or "Team"), which Team shall work in conjunction with and provide support to the Sarpy County Tactical Medic (STACMED) TEAM ("STACMED Team").

WHEREAS, by separate Resolution, the Parties have created the Sarpy County STACMED Team pursuant to an Interlocal Cooperation Agreement, and the Parties desire that hereinafter the Sarpy County STACMED Team and the SWAT and CNU Team shall work together in providing law enforcement and tactical emergency medical services to the Agencies, as set forth in this Agreement and the Sarpy County STACMED Interlocal Cooperation Agreement.

**NOW, THEREFORE, IT IS AGREED AS FOLLOWS:**

- I. Purpose. The Parties shall hereby form the Sarpy County SWAT Team and CNU (collectively "Team"). The purpose of this Agreement is to define the roles and responsibilities of the Parties when providing mutual aid and assistance through the activation of the Team in responding to critical law enforcement incidents.
- II. Definitions: As used herein the following terms shall have the following meanings:

- A. "Agency(ies)" or "Cooperating Agency(ies)" shall mean the police/sheriff department(s) of the Parties which are signatories hereto.
- B. "Executive Board ("Board")" shall mean the board comprised of the Agency heads or their designated representatives, who shall be responsible for administering this cooperative undertaking as provided in Paragraph IV.
- C. "Team" shall mean all duly sworn paid law enforcement officers in the employment of any Agency that have been assigned by their employing Agency head to participate in the SWAT and/or CNU in accordance with the policies and procedures as adopted by the Board and Agencies.

III. Authority:

- A. The authority for this Agreement is that authority granted by law, including without limitation the general powers of each Party and Agency, as well as Neb. Rev. Stat. §§ 13-801 to 13-827 (the "Nebraska Interlocal Cooperation Act"), Neb. Rev. Stat. § 29-215, and Neb. Rev. Stat. § 81-1401 *et seq.*
- B. This Agreement is not intended nor shall it be construed to in any way limit the power and authority granted by Neb. Rev. Stat. § 29-215. To that end, each Agency may individually impose on its own officers such conditions or limitations regarding their exercise of statutory law enforcement powers as such Agency may choose and so long as not inconsistent with the terms hereof.

IV. Executive Board.

- A. The Executive Board ("Board") consists of the Sarpy County Sheriff, La Vista Chief of Police, and Papillion Chief of Police, (or their designees).
- B. The Board is responsible for:
  - 1. Meeting at least twice per year;
  - 2. Assigning leadership positions to Team members;
  - 3. Approving expenditures from the Team budget;
  - 4. Selecting Team members and any leadership positions for the Team;
  - 5. Establishing policies and procedures for the operation of the Board, which shall include, but are not limited to:
    - a. Chain of command and control over critical incident responses;
    - b. Process for activation of the Team in response to critical incidents;
    - c. Process for search warrants and investigations;
    - d. Expectations for a Team member's conduct in the operation of law enforcement vehicles, use of lethal force, and use of deadly force;
    - e. Qualifications for Team members, including but not limited to, physical agility and tactical firearms qualifications; and
    - f. Any other topics deemed appropriate by the Board.
  - 6. Performing any other functions necessary for the executive oversight, administration, and supervision of the Team.
- C. Each member of the Board has an equal vote in all decisions of the Board.
- D. Unless otherwise specified herein, decisions of the Board shall be made by majority vote.



V. Cost Sharing/Budget and Finance:

- A. Sarpy County shall be responsible for general financial administration of the Team, and thus will coordinate budgetary expenditure matters with all Agencies.
- B. Sarpy County will provide each Agency with a semiannual report on all receipts and disbursements.
- C. All costs associated with the initial purchase, repair, or replacement of a Team member's equipment and clothing shall be the responsibility of the Team member's Agency. This equipment and clothing shall remain the property of the Team member's Agency.
- D. Cost of training for individual Team members will be the responsibility of the Team member's Agency.
- E. Team members are considered employed by his or her own Agency and shall be considered and held as serving in the regular line-of-duty of the Agency that employs the Team member. Thus, personnel costs and related benefits including health insurance, retirement, etc., shall be the responsibility of the employing Agency.
- F. Each Agency shall contribute funding for making combined purchases necessary for operations of the Team. The amount of annual funding to be contributed by each Agency shall be determined by the unanimous vote of the Board as part of the budget process as outlined in the policies and procedures adopted by the Board and Agencies.
- G. Any remaining funds in the Team budget at the end of the fiscal year will be held in the account for future purchases.
- H. By March 1 of each year, the Team Commander will submit a proposed budget request to the Board. Said requests shall itemize requested purchases for the following budget cycle. The process for approval or denial of the request shall be identified in the policies and procedures adopted by the Board and Agencies.
- I. If an emergency expense arises outside of the customary budgetary process, the Board may approve said expense.

VI. SWAT and CNU Team Operations:

- A. Requests for Activation. Requests for activation of the SWAT and/or CNU Team may be made by the Police Chief, Sheriff, or designated representative thereof of the Agency requesting assistance. In situations posing an immediate threat to the life and safety of an officer or other individual, any officer may make the request.
- B. Authority to Arrest and Detain: Subject to the limitations herein, a Team member responding to an incident outside of his or her Agency's jurisdiction shall have full law enforcement authority, including the authority to arrest and detain, in the following circumstances:
  - 1. The commission of a felony witnessed by the Team member; or
  - 2. The Team member is a witness to a criminal act or threatened criminal act, or a traffic infraction, whether or not constituting felonious conduct, where non-arrest poses immediate danger or threat to life or safety to the Team member or any other person or persons:
    - a. While engaged in or providing services under this Agreement.
    - b. While cooperating in investigative activity or other cooperative law enforcement activity authorized by this Agreement.
- C. Internal Affairs Investigations/Disciplinary Actions. Internal Affairs Investigations and disciplinary action arising out of a Team member's conduct, omissions, actions,

etc. while serving on the Team shall be handled by Team member's Agency. Notification or initiation of an investigation will follow the employing Agency's policies.

- D. Declining/Delaying/Terminating Response. The Agencies acknowledge that the purpose of this Agreement is to provide mutual aid and assistance in response to critical law enforcement incidents. However, a Police Chief, Sheriff, or designated representative thereof, may decline to respond, may be delayed in responding, or may terminate its response, to an Agency's request for mutual aid and assistance. Notification of said declination, delay, or termination must be made pursuant to the policies and procedures adopted by the Board and Agencies.

- VII. Policies and Procedures. The Board is responsible for establishing policies and procedures for the operation of the Team (see Section IV(B)(5)). These policies and procedures may be amended from time to time by approval of the Board. Each Agency shall adopt identical policies and procedures for its Team members.

- VIII. Dispute Resolution Process. In the event of a dispute arising under this Agreement, the matter shall be referred to the Board for resolution. Written notice of the dispute shall be provided to each Board member. The Agencies must meet and attempt to resolve the dispute in a satisfactory manner. This meeting must take place within ten (10) business days after all Board members have been served notice of the dispute. The Board shall issue a written decision within thirty (30) days after the meeting. The content of the written decision shall be approved by a majority of the Board. During the pendency of this process, the Parties and Agencies shall act in good faith to perform their respective duties described herein. No Party or Agency shall institute a formal legal proceeding, file a claim, provide notice of withdrawal, etc., until after the Board has issued a written decision.

- IX. Terms of Agreement. This Agreement shall be effective for a term of three years beginning on April 1, 2019, and ending March 31, 2022. At the end of the initial three-year term, this Agreement shall automatically renew for additional two-year terms ("Renewal Term"), unless otherwise terminated at any time by mutual written agreement of all of the Parties.

- X. Withdrawal:

A. Process.

1. During the initial three-year term, a Party may withdraw from the Agreement if the withdrawal and timeline for said withdrawal is agreed to in writing by a majority of the Parties. If written consent is not provided by a majority of the Parties, the withdrawing Party must refer the matter of withdrawal to the Board pursuant to the Dispute Resolution Process described in Section VIII. In the event that the matter is not resolved pursuant to Section VIII, the withdrawing Party shall issue a written "Notice of Withdrawal" to the non-withdrawing Parties no later than ten (10) days after the written decision of the Board. The Notice must be served in writing to each Board Member before pursuing legal remedies available to each Party.
2. By March 1<sup>st</sup> of a Renewal Term, a Party may withdraw from the Agreement by providing written notice of its intent to withdraw to the other Parties. The Notice

must include the effective date of termination, which shall be no later than March 31<sup>st</sup> of the Renewal Term.

- B. Property. If a Party withdraws from this Agreement, the Party shall retain title to all property, resources, and equipment it had prior to, or obtained while, a Party to this Agreement. Within thirty (30) days after withdrawal, the withdrawing Party shall remove and retake possession of such property. Any property, resources, or equipment purchased or donated on behalf of the Team shall be disposed of upon withdrawal in accordance with the policies and procedures adopted by the agencies.
- C. Liability. If a Party withdraws from this Agreement, it shall not be relieved of liability incurred by the Board prior to such withdrawal, including, but not limited to, such Party's responsibilities for funding the then current annual Team budget. In addition, in the event that the withdrawing Party has made a financial commitment to fund any specific future expense(s) of the Board which would impact future Team budgets as a result of such withdrawal, the withdrawing Party may remain financially responsible for its committed share of such specific future expense(s), as determined by the Board.

- XI. Liability Insurance: The Parties agree to be self-insured or to carry liability insurance written on an "occurrence" basis (as distinguished from "claims made" basis) covering all law enforcement personnel assigned by each Party and insuring against liability for bodily injury, personal injury and property damage, in an amount not less than the maximum liability of such Party under applicable law. No Party represents in any way that the insurance specified herein, whether in scope of coverage or limits, is adequate or sufficient to protect any other Party or its interests. Each Party is solely responsible to determine its need for and to procure additional coverage which may be needed in connection with this Agreement. The procuring of insurance as required by this Agreement shall not be construed to limit any Party's liability hereunder or to fulfill the indemnification provisions of this Agreement.
- XII. Mutual Non-Discrimination Clause. In accordance with Neb. Rev. Stat. § 48-1122, each Party agrees that neither it nor any of its subcontractors or agents shall discriminate against any employee, or applicant for employment to be employed in the performance of this Agreement, with respect to hire, tenure, terms, conditions, or privileges of employment, because of age, color, disability, genetic information, marital status, military status, national origin, pregnancy, race religion, sex, or any other prohibited basis of discrimination.
- XIII. Incorporation of Recitals. The recitals set forth above are, by this reference, hereby incorporated into and deemed part of this Agreement.
- XIV. Entire Agreement. This Agreement contains the entire agreement of the Parties. No representations were made or relied upon by any Party other than those that are expressly set forth herein. The provisions of this Agreement may not be explained, supplemented, or qualified through evidence of trade usage or prior course of dealings. No agent, employee or other representative of any Party is empowered to alter any of the terms hereof except as provided herein.
- XV. Amendments/Modification. This Agreement may be modified for any reason, including but not limited to adding another Party. Said modification shall be made by written amendment,

approved and executed by the governing bodies of each Party. No alteration or variation of the terms and conditions of this Agreement shall be valid unless made pursuant to an amendment. Every amendment shall specify the date on which its provisions shall be effective.

- XVI. Assignment. None of the Parties may assign its rights under this Agreement.
- XVII. Successors and Assigns Bound by Covenants. All covenants, stipulations, and agreements herein shall inure to the benefit of the Parties and extend to and bind the legal representatives, successors, and assigns of the Parties.
- XVIII. Waiver. The failure of a Party to insist on strict performance of any covenants or conditions, or to exercise any option herein conferred on any one or more instances, shall not be construed as a waiver or relinquishment of any such covenant, condition, right, or option, but the same shall remain in full force and effect. For a waiver of a right or power to be effective, it must be in writing signed by the waiving Party. An effective waiver of a right or power shall not be construed as either a future or continuing waiver of that same right or power, or the waiver of any other right or power. In addition, any act by a Party which it is not obligated to do hereunder shall not be deemed to impose any obligation upon that Party to do any similar act in the future or in any way change or alter any of the provisions of this Agreement.
- XIX. Severability. If any provision of this Agreement is determined by a court of competent jurisdiction to be invalid or otherwise unenforceable, that provision will be severed and the remainder of this Agreement will remain in full force and effect.
- XX. Indemnification/Liability. To the extent permitted by law, each Party (as "indemnitor") agrees to indemnify, defend, and hold harmless each of the other Parties (as "indemnitee(s)") from and against any and all claims, losses, liability, costs, or expenses, including reasonable attorney's fees (hereinafter collectively referred to as "claims") arising out of bodily injury, including death, or property damage, but only to the extent that such claims which result in vicarious/derivative liability to the indemnitee(s), are caused by the act, omission, negligence, misconduct, or other fault of the indemnitor, its officers, officials, agents, employees, or volunteers; provided, however, that a Party shall have no liability whatsoever for declining to respond, delaying to respond, or terminating its response to another Party's request for mutual aid and assistance. These indemnification provisions are not intended to waive a Party's sovereign immunity. A Party's liability is governed by and limited to the extent provided by the Nebraska Political Subdivisions Tort Claims Act or other applicable provisions of law.
- XXI. Notification of Claims and Lawsuits. In the event that a claim or lawsuit is brought against a Party for any matters related to this Agreement, it shall be the duty of that Party to notify the other Parties of said claim or lawsuit.
- XXII. Sovereign Immunity. Nothing in this Agreement shall be construed as an express or implied waiver of the sovereign immunity of any Party in any forum or jurisdiction.

XXIII. No Third Party Rights. This Agreement is not intended to, nor shall it provide third parties, excluding any assignment as provided herein, with any remedy, claim, liability, reimbursement, cause of action or other right or privilege; except that this Agreement's indemnification provision shall also inure to the benefit of a Party's employees, officers, agents and servants.

XXIV. Notice and Authorized Representatives. Notice, required under this Agreement, shall be delivered in writing and shall be effective upon receipt by the authorized representative. Delivery shall be made by certified mail, return receipt requested. For purposes of Notice, following individuals are the authorized representatives of the Parties:

SARPY COUNTY

County Sheriff  
Sarpy County Sheriff's Office  
8335 Platteview Road  
Papillion, NE 68046  
(402) 593-2288

CITY OF LA VISTA

Chief of Police  
La Vista Police Department  
7701 South 96<sup>th</sup> Street  
La Vista, NE 68128  
(402) 331-1582

CITY OF PAPIILLION

Chief of Police  
Papillion Police Department  
1000 East 1<sup>st</sup> Street  
Papillion, NE 68046  
(402) 597-2035

XXV. Drug Free Policy. Parties assure each other that each has established and maintains a drug free workplace policy.

XXVI. New Employee Work Eligibility Status (Neb. Rev. Stat. § 4-114). Each Party is required and hereby agrees to use a federal immigration verification system to determine the work eligibility status of new employees physically performing services within Nebraska. A federal immigration verification system means the electronic verification of the work authorization program authorized by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, 8 U.S.C. 1324a, known as the E-Verify Program, or an equivalent federal program designated by the United States Department of Homeland Security or other federal agency authorized to verify the work eligibility status of a newly hired employee.

XXVII. Public Benefits. With regard to Neb. Rev. Stat. §§ 4-108 to 4-113, no Party is an individual or sole proprietorship. Therefore, no Party is subject to the public benefits attestation and related requirements of Neb. Rev. Stat. §§ 4-108 to 4-113.

- XXVIII. Joint Work Product. This Agreement is the joint work product of the Parties; accordingly, in the event of any ambiguity, no presumption shall be imposed against or in favor of any Party by reason of document preparation.
- XXIX. Authority. Each of the persons signing below warrant and represent that they have the authority to enter into this Agreement and to bind the Parties hereto.
- XXX. No Separate Legal Entity. This Agreement does not create a separate legal entity under the Interlocal Cooperation Act. For purposes of that Act, this Agreement shall be administered jointly by the Parties. In the event of a conflict, the majority decision of the Cooperating Agencies shall govern. This Agreement does not contemplate acquiring, holding or disposing of joint property nor does it contemplate the levying or collecting of any tax.
- XXXI. Multiple Counterparts: This Agreement, involving numerous parties, may be executed in multiple counterparts each of which may bear the signatures of less than all of the parties hereto, and it shall be in full force and effect even if so executed.
- XXXII. Headings. The section headings appearing in this Agreement are inserted only as a matter of convenience, and in no way define or limit the scope of any section.

(REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK)

**SARPY COUNTY SHERIFF'S OFFICE:**

COUNTY OF SARPY, NEBRASKA,  
A Nebraska Political Subdivision

By:   
Sarpy County Board Chairman

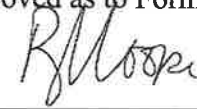
Date: 4/2/19

Attest:



  
Deb Houghtaling, County Clerk

Approved as to Form:

  
Chief Deputy Sarpy County Attorney



**PAPILLION POLICE DEPARTMENT:**

CITY OF PAPILLION, NEBRASKA,  
A municipal corporation and Nebraska Political  
Subdivision

By:   
David P. Black, Mayor

Date: 4-2-19


Attest:


  
Nicole Brown, City Clerk



**LA VISTA POLICE DEPARTMENT:**

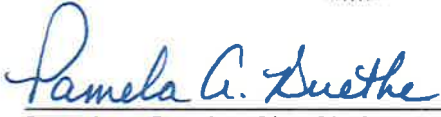
CITY OF LA VISTA, NEBRASKA,  
A municipal corporation and Nebraska Political  
Subdivision

By:   
Douglas Kindig, Mayor

Date: 4/16/2019 



Attest:

  
Pamela A Buethe, City Clerk

# OFFICE OF THE SHERIFF SARPY COUNTY

*"Honored to Serve"*



JEFFREY L. DAVIS  
Sarpy County Sheriff

8335 Platteview Road  
Papillion, Nebraska 68046  
Telephone (402) 593-2288  
Fax (402) 593-4323

February 28, 2019

To all County and City Officials in Sarpy County:

Forty years ago, Law Enforcement looked and operated a lot differently. Not only here but also in most jurisdictions throughout the country. Politics and turf battles seemed to engulf agency leaders resulting in departments that functioned independently of each other. Many times operating competitively only to lay claim to who was providing the best service.

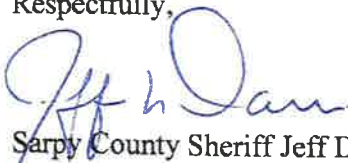
Times have changed and your Law Enforcement leaders today especially in this county, have put aside the politics and turf battles, recognizing the rewarding benefits of sharing resources, training, equipment, and in some cases personnel to provide for a more efficient and productive service. Another byproduct of this of course is the financial benefit to each agency and their respective government entities and ultimately the people we serve.

Recently I was approached by Chief Scott Lyons and Chief Bob Lausten proposing a combined county wide SWAT Team. Much like those agencies, we have spent a great deal of time and tax dollars training and equipping our Emergency Service and Crisis Negotiations Units.

After a great deal of thought I realized the enormous benefit to the men and women of each agency as well as all of the citizens of Sarpy County. I also realized that even though our department would begin this endeavor as the lead agency, that at some point in the future that could change by majority vote of the four leaders. I am confident that any decision in the future will be made in the best interest of our entire combined SWAT Team and we will provide our members with the finest training and equipment to serve the citizens of each of our jurisdictions. The product of this merger will be a team that is well trained and tactically sound.

The types of active shooter incidents that occur these days have drastically changed how we respond. This merger will ensure our response to them is safer for the team members and ultimately the public. I would urge each jurisdiction to participate.

Respectfully,

  
Sarpy County Sheriff Jeff Davis

## Mark Elbert

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**From:** Bob Lausten <BLausten@cityoflavista.org>  
**Sent:** Thursday, February 21, 2019 11:35 AM  
**To:** Mark Elbert  
**Cc:** Scott Lyons; Greg London; jdavis@sarpy.com  
**Subject:** SWAT

Chief Elbert,

It has long been recognized that mutual aid between law enforcement agencies sharing similar demands is highly desirable. The law enforcement agencies of Sarpy County possess a number of collaborations that creates mutually beneficial advantages, such as county wide radio system, Law Records Management Systems, a single jail facility, DUI Task Force, Crash Team, Sarpy Douglas Law Enforcement Agency, etc.

The response to critical incidents require the specialized attention of a team trained to be effective in highly volatile situations. La Vista has been a partner with Bellevue and Papillion on such a specialized team since 1994. In the early 2000's, Ralston and Plattsmouth, located in different counties than Bellevue, La Vista and Papillion, were added to the team. For the past 12 years under the terms of an Interlocal Cooperation Agreement, we've operated a five city team. During that time, the Sarpy County Sheriff operated a separate team, serving the areas outside Bellevue, La Vista and Papillion.

There was never any specific cooperative SWAT efforts between the South Metro and Sarpy teams. I think much of the distance was created by personalities within each agency that went back years. In recent years, however, the names have changed as well as the need for more cooperative efforts (as described above). I believe the timing is right for what we have proposed with a Sarpy County tactical team. Instead of "Why would you merge with the Sheriff", the question citizens should have is "Why haven't you combined teams?" With all the other successful collaborations mentioned above, it only makes sense to consider a merger of tactical teams.

We recognize that delivery of these services can be done most cost-effectively and with enhanced flexibility when forces are combined. A unified SWAT element in Sarpy County makes complete sense and will provide greater overall efficiency of fiscal resources, operational resources, equipment and personnel. It would not only increase our ability to protect life, preserve peace, but also would increase our response and delivery of service to our citizens. Our police officers and deputy sheriffs have great relationships on the street, and provide mutual aid every day. Our intent is to bring the police resources in Sarpy County together and create the best trained and effective tactical team in the area. Personalities can make or break teams, and public safety in Sarpy County is bigger and more important than individuals.

B Lausten

**Robert S. Lausten**

Chief of Police  
La Vista Police Department  
7701 S. 96th St.  
La Vista, Nebraska 68128  
(402) 331-1582 FAX: (402) 331-7210  
*Accountability-Integrity-Public Service*  
FBI NA 252



CITY OF PAPILLION  
David P. Black, Mayor  
Scott A. Lyons, Chief of Police  
Papillion Police Department  
1000 East First Street  
Papillion, Nebraska 68046  
Phone 402-597-2035  
Fax 402-592-9810  
Website: [www.papillion.org](http://www.papillion.org)

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March 4, 2019

Chief Mark Elbert  
Bellevue Police Department  
1510 Wall Street  
Bellevue, Nebraska 68005

Dear Chief Elbert,

In 1994, the Bellevue Police Department, LaVista Police Department and Papillion Police Department collaborated to form the South Metro Special Weapons and Tactics Team (SWAT) Team. This collaboration expanded in the early 2000s to include the Plattsmouth Police Department (Cass County) and Ralston Police Department (Douglas County). To date, the Bellevue Police Department provided the majority of the leadership, personnel and other resources towards the operation of the South Metro SWAT Team. As a result, the Papillion Police Department is grateful and indebted to the Bellevue Police Department.

According to the National Tactical Officers Association (NTOA), there are essentially two levels of SWAT teams: Tier 1 and Tier 2. A Tier 1 SWAT team consists of 26 members composed of a team commander, 3 team leaders, 4 snipers and 18 operators. A Tier 1 SWAT team is capable of handling Hostage Rescue Operations, Barricaded Subject Operations, Sniper Operations, High Risk Warrant Service, High Risk Apprehensions, High Risk Security Operations, Terrorism Response Operations, Tactical Operations with SWAT and Bomb Squad. There are additional requirements for monthly training and equipment lists for general/specialized skills, such as explosive breaching. A Tier 2 SWAT team consists of 19 members composed of a team commander, 2 team leaders, 4 snipers and 12 operators. A Tier 2 tactical team can handle all of the above except planned deliberate hostage rescues. The NTOA does recognize two lesser teams, a Tactical Response Team and Perimeter Control/Containment Team. These lower grade teams are very limited in their number of personnel and mission capabilities. SWAT Teams operating above and outside these standards are at an increased risk of catastrophic events and/or civil liability.

During the last three years, we have discussed some areas where the South Metro SWAT Team could be more effective in achieving its mission. The South Metro SWAT Team is a Tier 2 tactical team under the current NTOA standards. However, there are a number of things

threatening to diminish its mission capabilities and prevent its success, such as the current vacancies, anticipated future vacancies, succession planning, monthly/annual/specialized training, technology and equipment.

Nevertheless, there has been a great deal of ongoing discussion about overcoming our struggles, in hopes of building a tier 1 tactical team in the future. As a result, the law enforcement agencies of Sarpy County must collaborate, in order to meet this shared goal for our communities. As a member of the Patrol and Tactical Operations Committee for the International Association of Chiefs of Police since 2010, I interact on a regular basis with law enforcement agencies across the country and the NTOA. A number of law enforcement agencies have turned to participate in larger multijurisdictional SWAT teams for many of the same reasons that we face today. Thus, we can draw upon the best models of merging SWAT teams and pooling our resources, such as the Pima Regional SWAT Team in Pima County (Tucson), Arizona.

For these reasons, Sheriff Jeff Davis, Chief Deputy Greg London, Chief Bob Lausten, you and I met on several occasions to discuss a possible merger of our SWAT Teams. We believe merging the South Metro SWAT Team and Crisis Negotiations Unit (CNU) with the Sarpy County Sheriffs' Office (SCSO) SWAT Team is the next step in providing greater overall efficiency of fiscal resources, operational resources, equipment, technology and personnel. This improved advisory board will oversee a new SWAT team which would consist of 39 total personnel from the Bellevue Police Department, LaVista Police Department, Sarpy County Sheriffs' Office and Papillion Police Department. The new team will be composed of a team commander, 5 team leaders, 28 operators, 1 sniper team leader and 5 snipers. The new Crisis Negotiations Team is composed of a team commander, 2 team leaders, and 16 negotiators. Our hope is to blend the more skilled and experienced officers with those with lesser experience. This new team will be better suited to support its specialized skill sets and endure operations longer in duration. Moreover, the new team will be better poised to acquire the training, equipment and other resources necessary to increase its mission capabilities to become a Tier 1 tactical team in the future.

This new SWAT will also possess a tactical medic element of specially trained officers deployed on SWAT operations for emergency casualty care on-scene within the Hot Zone. The Sarpy Tactical Medic (StacMed) Program is composed of officers and paramedics specially trained in emergency casualty care from Papillion Fire Department, Sarpy County Sheriffs' Office, LaVista Police Department and Papillion Police Department. This addresses a long time need and reduces the costs of committing on-duty ambulance to standby status during SWAT operations.

As you know, the law enforcement agencies of Sarpy County already possess a number of collaborations that creates mutually beneficial advantages, such as county wide radio system, LRMS, single jail facility, DWI Task Force, Crash Team, Sarpy Douglas Law Enforcement Academy, etc. Finally, the creation of a single multijurisdictional SWAT Team fulfills our greatest commitment to providing excellence in our law enforcement services towards

protecting life, preserving peace, reducing crime and enhancing the quality of life for the citizens of Sarpy County. Our law enforcement agencies are stronger together!

I greatly appreciate your patience and support in this matter.

Sincerely,



Scott A. Lyons, Police Chief



CITY OF BELLEVUE, NEBRASKA  
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE:	7/16/2019	AGENDA ITEM TYPE:
SUBMITTED BY:  Jeff Roberts, Public Works Director	SPECIAL PRESENTATION	<input type="checkbox"/>
	LIQUOR LICENSE	<input type="checkbox"/>
	ORDINANCE	<input type="checkbox"/>
	PUBLIC HEARING	<input type="checkbox"/>
	RESOLUTION	<input checked="" type="checkbox"/>
	CURRENT BUSINESS	<input type="checkbox"/>
	OTHER (SEE CLERK)	<input type="checkbox"/>

SUBJECT:

Sidewalk Repair at 13204 South 35th Street

SYNOPSIS:

Request City Council to give notice to the property owner(s) at 13204 South 35th Street to repair the sidewalk adjacent to the property, according to the City of Bellevue's specifications.

FISCAL IMPACT:

BUDGETED ITEM: ☐ YES ☐ NO

PROJECT # & TRACKING INFORMATION:

RECOMMENDATION:

Request City Council to give a notice to the property owner(s) at 13204 South 35th Street to repair the sidewalk adjacent to the property, according to the City of Bellevue's specifications.

BACKGROUND:

The Public Works Department has mailed a certified letter to the property owner(s) at 13204 South 35th Street in an attempt to have the sidewalk repaired/replaced. The letter was mailed out on May 7, 2019 and the letter was returned to the City of Bellevue on May 31, 2019 unclaimed. The sidewalk is unsafe for pedestrian travel. According to Bellevue City Code, City Council must pass a resolution notifying the owner(s) to make the necessary repairs or the City will have the work completed with the expense levied against the property.

ATTACHMENTS:

1	Resolution	4	
2	Documentation	5	
3		6	

SIGNATURES:

ADMINISTRATOR APPROVAL:

FINANCE APPROVAL:

LEGAL APPROVAL:



RESOLUTION NO. 2019-22

WHEREAS, on May 7, 2019, the City of Bellevue mailed a letter by certified mail to the property owner(s) of 13204 South 35<sup>th</sup> Street stating Bellevue City Code Section 28-27, requires property owners to maintain, in good and proper repair, the sidewalks abutting or adjacent to their property;

WHEREAS, the U.S. Postal Service made an attempt to deliver the certified letter to the property owner(s) of 13204 South 35<sup>th</sup> Street until the letter was returned to the City of Bellevue unclaimed on May 31, 2019;

WHEREAS, pursuant to Bellevue City Code Section 28-29, the City Council determines that the interests of public health, safety or welfare require that the sidewalk space abutting on or adjacent to the property at 13204 South 35<sup>th</sup> Street should be improved by the construction of a sidewalk meeting the City of Bellevue's specifications for sidewalk construction. All work shall be completed within the time specified by City Council. Details of compliance may be obtained from the public works director. Failure to comply may result in the work being completed by city contractors, the expense of which may be levied as a special assessment and lien against the property;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BELLEVUE: the property owner(s) at 13204 South 35<sup>th</sup> Street has until August 15, 2019 to construct the sidewalk according to City Code for sidewalk construction or the work will be completed by city contractors and the expense will be levied as a special assessment and lien against the property.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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

ATTEST:

\_\_\_\_\_  
Susan Kluthe, City Clerk



## City of Bellevue

### Public Works Administration

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

May 7, 2019

Mr. & Mrs. Kyle B. Lehman  
13204 South 35<sup>th</sup> Street  
Bellevue, NE 68123

RE: 13204 South 35<sup>th</sup> Street/Lot 45 Lookingglass Heights

Dear Sir/Madam:

This letter is to inform you that a complaint was received by this office regarding the property identified above. An inspection of the property was conducted which revealed the following violation(s):

Section 28-27, Bellevue City Code, requires property owners to maintain, in good and proper repair, the sidewalks abutting or adjacent to their property. The sidewalk abutting 13204 South 35<sup>th</sup> Street, Bellevue, Nebraska has been inspected and found to be unsafe for pedestrian travel. This letter is your official notice, as owner of record, to replace the broken, defective, or missing sidewalk returning it to a condition for safe travel for pedestrians.

If after thirty days from receipt of this notice the repair work has not been initiated or completed, the work may be completed by the city of Bellevue and the expense levied as a special assessment or lien against your property.

Should the repair work abut a street corner, the city of Bellevue Street Department will grind and remove the curb at no expense to the property owner. Their phone number is (402) 293-3126. You will need to call the Street Department at least 48 hours prior to needing the curb ground. On all new and replacement sidewalks that abut a curb, this grinding is a requirement of the American With Disabilities Act.

If you have any questions regarding sidewalk specifications or repairs, please contact me at (402) 293-3042.

Sincerely,

*Sean Schrader*

Sean Schrader  
Public Works Inspector

SS/ke

# City of Bellevue

1500 WALL STREET  
BELLEVUE, NE 68005

**CERTIFIED MAIL**



7015 0640 0003 1685 0309

neopost  
05/08/2019  
**US POSTAGE**

FIRST-CLASS MAIL

**\$06.80<sup>0</sup>**



ZIP 68005  
041L11245096



Mr. & Mrs. Kyle B. Lehman  
13204 South 35th Street  
Bellevue, NE 68123

5-16  
5-17  
5-27

NIXIE

681 DE 1

0003/29/19

RETURN TO SENDER  
UNCLAIMED  
UNABLE TO FORWARD

66888-222504

ENC 8C: 68005529999

\*1535-07831-08-39



PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. & Mrs. Kyle B. Lehman  
13204 South 35th Street  
Bellevue, NE 68123



9590 9403 0241 5146 1952 61

2. Article Number (Transfer from service label)

7015 0640 0003 1685 0309

PS Form 3811, April 2015 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

- ☐ Agent  
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

**3. Service Type**

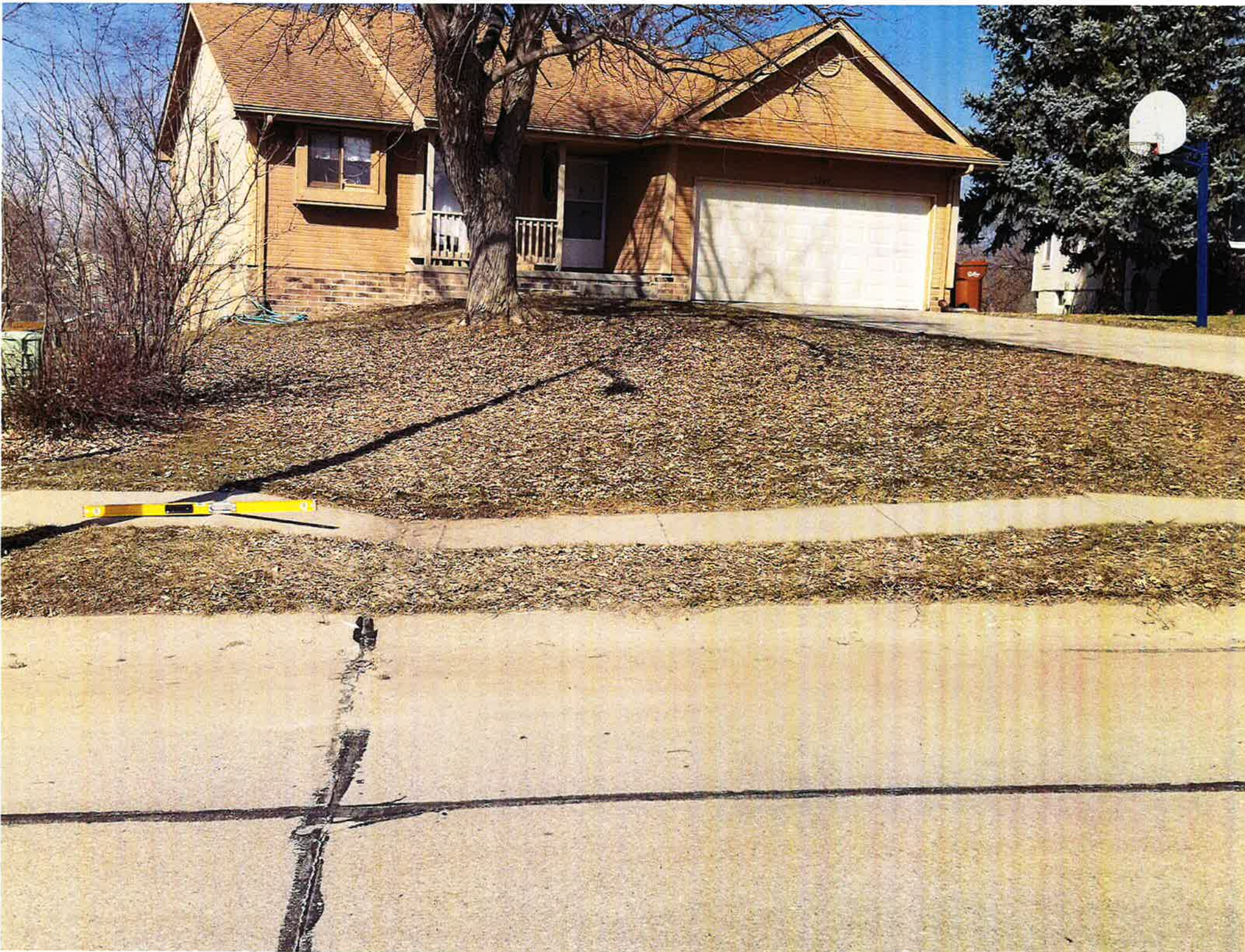
- |                                                                        |                                                                     |
|------------------------------------------------------------------------|---------------------------------------------------------------------|
| <input type="checkbox"/> Adult Signature                               | <input type="checkbox"/> Priority Mail Express®                     |
| <input type="checkbox"/> Adult Signature Restricted Delivery           | <input type="checkbox"/> Registered Mail™                           |
| <input type="checkbox"/> Certified Mail®                               | <input type="checkbox"/> Registered Mail Restricted Delivery        |
| <input type="checkbox"/> Certified Mail Restricted Delivery            | <input type="checkbox"/> Return Receipt for Merchandise             |
| <input type="checkbox"/> Collect on Delivery                           | <input type="checkbox"/> Signature Confirmation™                    |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery       | <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <input type="checkbox"/> Insured Mail                                  |                                                                     |
| <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500) |                                                                     |

Domestic Return Receipt









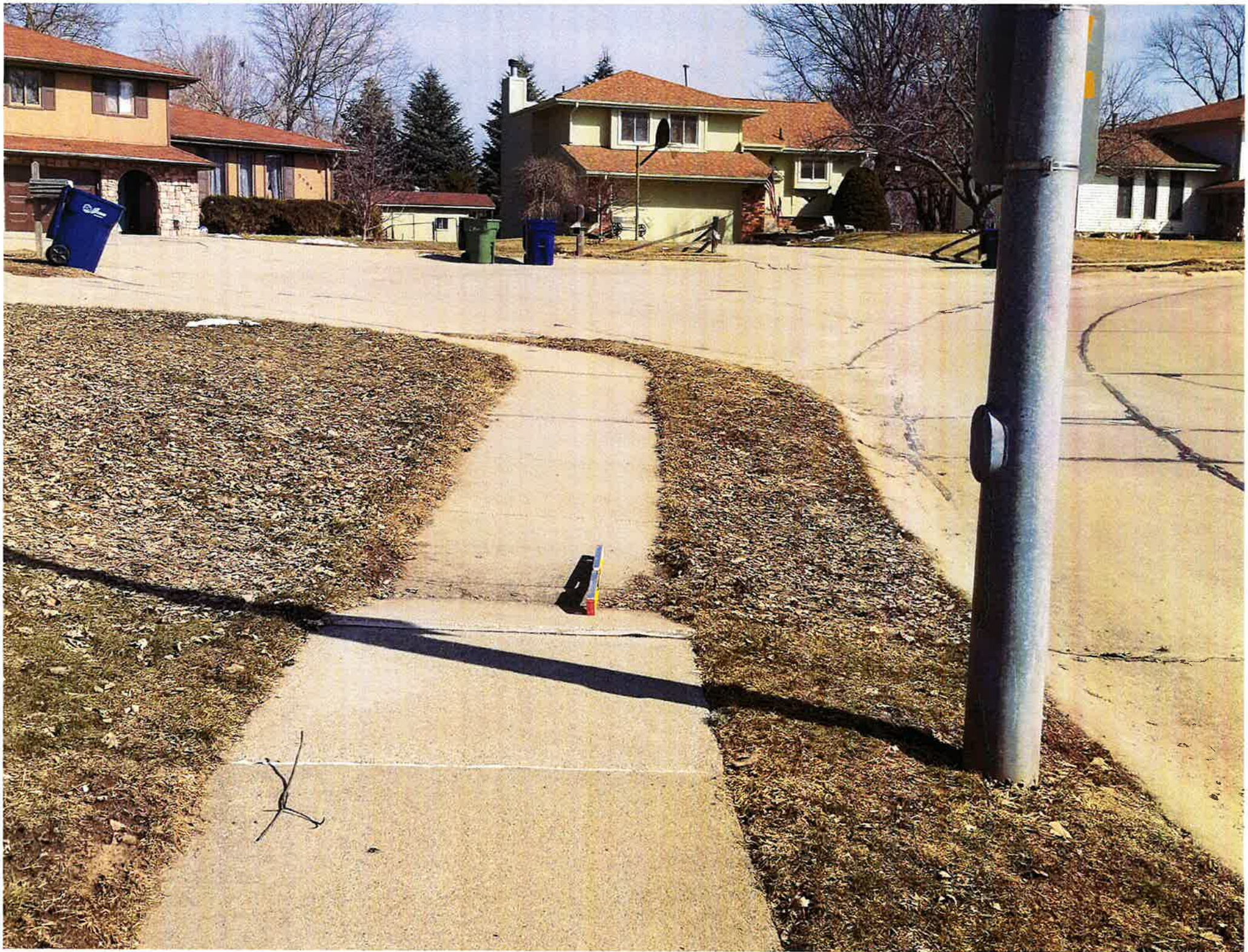


































\*16a.  
7/16/19

CITY OF BELLEVUE, NEBRASKA  
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE:	7/16/2019	AGENDA ITEM TYPE:	
SUBMITTED BY:  Jeff Roberts, Public Works Director Dean Dunn, Manager of Engineering Services		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:

Temporary Easement

SYNOPSIS:

Request approval of a temporary easement located in Tax Lot 18A2 and Tax Lot 18A1B2B, located in the Northeast 1/4 of Section 5, T13N, R13E of the 6th P.M., Sarpy County, Nebraska.

FISCAL IMPACT:

\$0

BUDGETED ITEM: ☐ YES ☒ NO

PROJECT # & TRACKING INFORMATION:

\$0

RECOMMENDATION:

Approve a temporary easement located in Tax Lot 18A2 and Tax Lot 18A1B2B located in the Northeast 1/4 of Section 5, T13N, R13E of the 6th P.M., in Sarpy County, Nebraska.

BACKGROUND:

See the attached documentation for a detailed description of the requested temporary easements. This is for the 36th Street Widening Project MAPA 5061(5).

ATTACHMENTS:

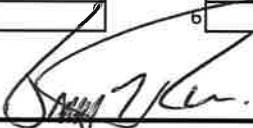


1	Temporary Easements	4	
2		5	
3		6	

SIGNATURES:

ADMINISTRATOR APPROVAL:

FINANCE APPROVAL:

LEGAL APPROVAL:

**LOCAL POLITICAL SUBDIVISION ACQUISITION CONTRACT  
TEMPORARY EASEMENT**

PROJECT: 36<sup>TH</sup> STREET WIDENING  
MAPA-5061(5) C.N.: 22276 TRACT: D1  
THIS CONTRACT, made and entered into this 10 day of June, 2019

By and between PAPILLION PUBLIC SCHOOL

Address: 11820 S 37<sup>TH</sup> ST, Papillion, NE 68046

Hereinafter called the OWNER, and CITY OF BELLEVUE, NEBRASKA, hereinafter called the BUYER.

**TEMPORARY EASEMENT**

Witnesseth: In consideration or payment as specified below, the OWNER hereby agrees to execute to the BUYER, a Temporary Easement which will be prepared and furnished by the BUYER to certain real estate described in:

**SEE ATTACHED EXHIBIT "D1-1" & "D1-2"**

The BUYER agrees to purchase the above described Temporary Easement and to pay, therefore, upon the delivery of said executed Temporary Easement(s). If the OWNER so desires, they shall have the right to receive 100% of the final payment due under this contract prior to vacating the premises being acquired.

At No Cost to BUYER

It is agreed and understood that the BUYER is hereby granted an immediate right of entry upon the premises described above and has such right for a period of three (3) years from the date of signing.

BUYER will leave existing property same as or better than the original condition.

**THIS IS A LEGAL AND BINDING CONTRACT – READ IT**

The representative of the Buyer, in presenting this contract has given me a copy and explained all of its provisions. A complete understanding and explanation has been given of the terminology, phrases, and statements contained in this contract. It is understood that no promises, verbal agreements or understanding except as set forth in this contract will be honored by the Buyer.

*(Signatures on following page)*

IN WITNESS WHEREOF said GRANTOR has or have here unto caused the authorized execution hereof, this 10 day of June, 2019.

[Signature]  
(Name and Title) President

[Signature]  
(Name and Title) Secretary

STATE OF NEBRASKA )  
COUNTY OF SARPY ) SS

On this 10 day of June, 2019, before me, a Notary Public in and for said County, personally came Valerie Fisher  
(Name)  
President SuAnn Witt Secretary  
(Title) (Name of owner) (Title)

and, \_\_\_\_\_  
(Name) (Title)  
of said Papillion La Vista Community Schools, to me personally known to be the respective partners of said partnership and the identical persons whose names are affixed to the foregoing instrument, and acknowledged the execution thereof to be their respective voluntary act and deed as such officers and the voluntary act and deed of said general partnership.

WITNESS my hand and Notarial Seal the day and year last above written.



[Signature]  
NOTARY PUBLIC

**CITY OF BELLEVUE, a Municipal Corporation**

ATTEST:

BY:

\_\_\_\_\_  
(Name)  
City Clerk, City of Bellevue

\_\_\_\_\_  
(Name)  
Mayor, City of Bellevue

STATE OF NEBRASKA )  
COUNTY OF SARPY ) SS

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, a Notary Public in and for said County, personally came \_\_\_\_\_, and \_\_\_\_\_, Mayor and City Clerk, respectively, of the City of Bellevue, Nebraska, a Municipal Corporation, to me personally known to be the respective officer of said Municipal corporation and the identical person whose name is affixed to the foregoing instrument, and acknowledged the execution thereof to be their respective voluntary act and deed as Mayor and the voluntary act and deed of said Municipal Corporation.

WITNESS my hand and Notarial Seal the day and year last above written.

Notary Seal

NOTARY PUBLIC





1

ROTH'S  
ANDERSON  
GROVE

36TH STREET

SOUTH 36TH STREET

TAX LOT  
18A1B2B

### COMMENCING POINT

5

DANIELL'S  
FARM  
ADDITION

POINT OF BEGINNING

A TEMPORARY EASEMENT LOCATED IN TAX LOT 18A2, IN THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 13 NORTH, RANGE 13 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID TAX LOT 18A2; THENCE ON THE SOUTH LINE OF SAID TAX LOT 18A2 ON AN ASSUMED BEARING OF S86°28'47"W, 34.31 FEET; THENCE CONTINUING ON SAID SOUTH LINE OF SAID TAX LOT 18A2 N86°26'57"W, 10.14 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ON SAID SOUTH LINE OF SAID TAX LOT 18A2 N86°26'57"W, 40.50 FEET; THENCE N03°50'16"E, 177.09 FEET; THENCE N86°56'18"E, 12.97 FEET; THENCE S02°55'09"E, 23.46 FEET; THENCE S03°13'01"E, 92.31 FEET TO A POINT OF CURVATURE; THENCE ON A 375.00 RADIUS CURVE TO THE LEFT, AN ARC LENGTH OF 65.04 FEET (LONG CHORD BEARS S08°11'08"E, 64.96 FEET) TO THE POINT OF BEGINNING.

SAID TEMPORARY EASEMENT CONTAINS A CALCULATED AREA OF 4,359.72 SQUARE FEET OR 0.100 ACRES, MORE OR LESS.

DWG: F:\Projects\008-0620-A\40-Design\Survey\SRV\Sheets\TEMP EASE\V\_P\_ESM-TEMP D1-D7 0080620A.dwg USER: dhastings  
DATE: Oct 09, 2018 11:26am XREFS: V\_X\_TOPO BNDY 2018 0080620A V\_P\_ESM-PERM 0080620A V\_P\_ROW 0080620A

DATE: 10/02/2018

# TEMPORARY EASEMENT



**OLSSON**  
ASSOCIATES

2111 South 67th Street, Suite 200  
Omaha, NE 68106  
TEL 402.341.1116  
FAX 402.341.5895

EXHIBIT

D1-2

\*16b.  
7/16/19

CITY OF BELLEVUE, NEBRASKA  
AGENDA ITEM COVER SHEET

COUNCIL MEETING DATE:	7/16/2019	AGENDA ITEM TYPE:	
SUBMITTED BY:  Jeff Roberts, Public Works Director Dean Dunn, Manager of Engineering Services		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:

Permanent Drainage Easement

SYNOPSIS:

Request approval of a permanent drainage easement located in Tax Lot 18A2 and Tax Lot 18A1B2B, located in the Northeast 1/4 of Section 5, T13N, R13E of the 6th P.M., Sarpy County, Nebraska.

FISCAL IMPACT:

\$0

BUDGETED ITEM: ☐ YES ☒ NO

PROJECT # & TRACKING INFORMATION:

\$0

RECOMMENDATION:

Approve a permanent drainage easement located in Tax Lot 18A2 and Tax Lot 18A1B2B, located in the Northeast 1/4 of Section 5, T13N, R13E of the 6th P.M., in Sarpy County, Nebraska.

BACKGROUND:

See the attached documentation for a detailed description of the requested permanent drainage easements. This is for the 36th Street Widening Project MAPA 5061(5).

ATTACHMENTS:

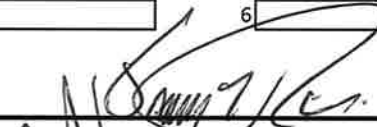
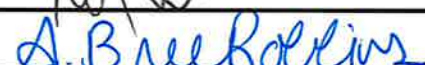
1	Permanent Drainage Easements	4	
2		5	
3		6	

SIGNATURES:

ADMINISTRATOR APPROVAL:

FINANCE APPROVAL:

LEGAL APPROVAL:

  
\_\_\_\_\_  
  
\_\_\_\_\_

RETURN TO: CITY OF BELLEVUE PUBLIC WORKS

---

**PERMANENT EASEMENT DEED  
POLITICAL SUB-DIVISION - CORPORATION**

PROJECT: **36<sup>TH</sup> STREET WIDENING**  
**MAPA-5061(5)** C.N.: **22276** TRACT: **D1**

**KNOW ALL MEN BY THESE PRESENTS:**

THAT **PAPILLION PUBLIC SCHOOL**

---

Organized and existing under and by virtue of the laws of the State of Nebraska, hereinafter known as the Grantor, for and in consideration of the sum of **ONE and NO/100 DOLLARS (\$1.00)** in hand paid, does hereby grant, bargain, sell, convey, and confirm unto CITY OF BELLEVUE, NEBRASKA, hereinafter known as the Grantee, the following described permanent easement for the purpose of construction for drainage and appurtenances thereto and the subsequent maintenance of same, situated in Sarpy County, State of Nebraska, to wit;

**SEE ATTACHED EXHIBIT "D1-1" & "D1-2"**

The abandonment of said permanent easement for the purpose described herein shall render this conveyance void and cause said permanent easement to revert to said Grantor and to its successors and assigns.

*(Signatures on following page)*



Duly executed this 10 day of June, 2019.

GRANTOR: PAPILLION PUBLIC SCHOOL

Valerie Fisher, President  
(Name and Title)

Stephen Witt, Secretary  
(Name and Title)

STATE OF NEBRASKA )  
COUNTY OF SARPY ) ss.

On this 10 day of June, 2019, before me, a General Notary Public, duly commissioned and qualified, personally came Valerie Fisher trustee for Papillion La Vista Community Schools to me known to be the identical person(s) whose name is/are affixed to the foregoing instrument as grantor(s) and acknowledged the same to be a voluntary act and deed.

WITNESS my hand and Notarial seal the day and year last above written.  
(SEAL)



Kathleen S. Baranko  
Notary Public

**CITY OF BELLEVUE, a Municipal Corporation**

ATTEST:

BY:

\_\_\_\_\_  
(Name)  
City Clerk, City of Bellevue

\_\_\_\_\_  
(Name)  
Mayor, City of Bellevue

STATE OF NEBRASKA )  
COUNTY OF SARPY ) SS

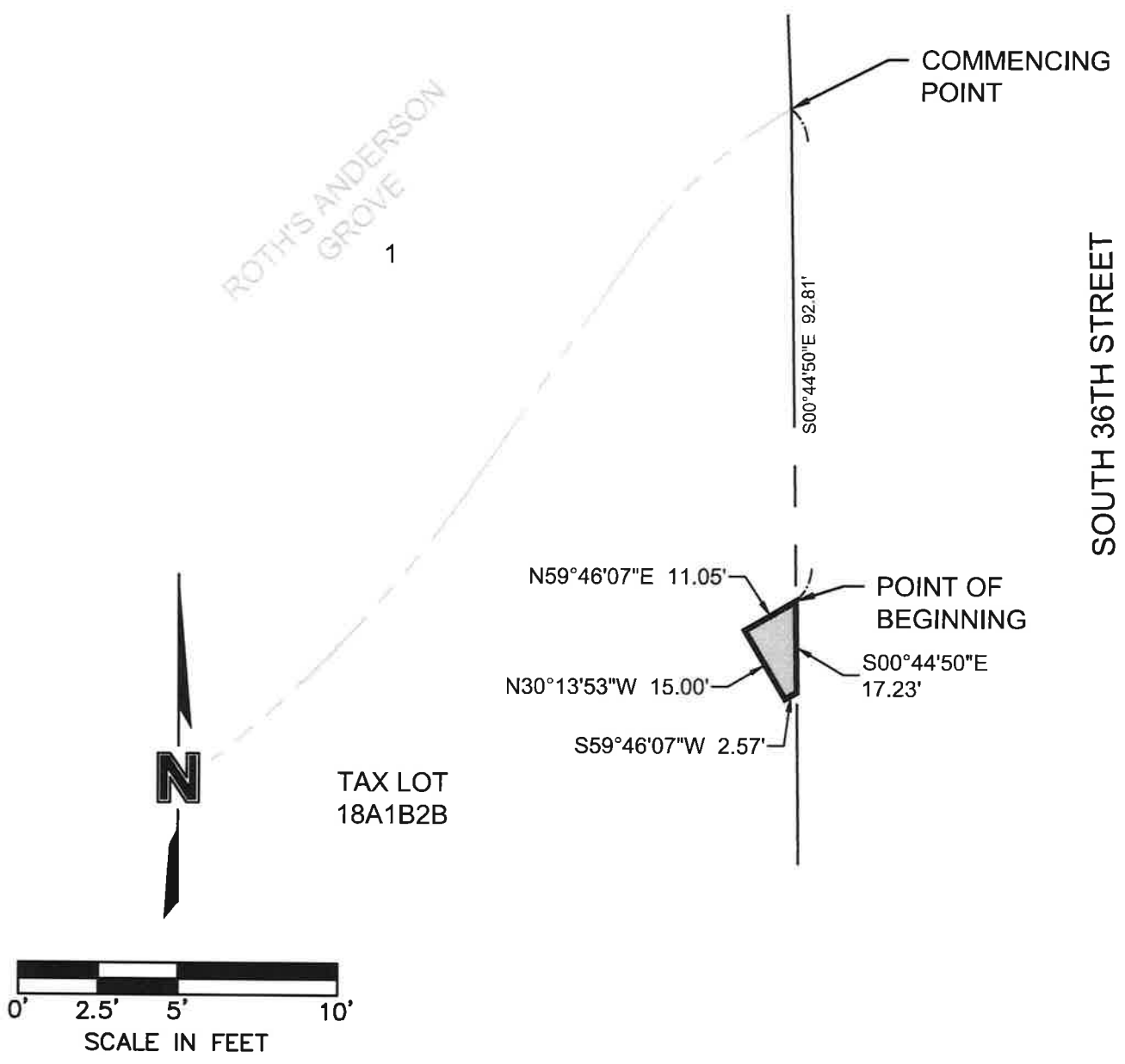
On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, a Notary Public in and for said County, personally came \_\_\_\_\_, and \_\_\_\_\_, Mayor and City Clerk, respectively, of the City of Bellevue, Nebraska, a Municipal Corporation, to me personally known to be the respective officer of said Municipal corporation and the identical person whose name is affixed to the foregoing instrument, and acknowledged the execution thereof to be their respective voluntary act and deed as Mayor and the voluntary act and deed of said Municipal Corporation.

WITNESS my hand and Notarial Seal the day and year last above written.

\_\_\_\_\_  
Notary Seal

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

DWG: F:\Projects\008-0620-A\40-Design\Survey\SRVY\Sheets\PERM EASE\V\_P\_ESM-TEMP C1-C14 0080620A  
DATE: Oct 09, 2018 11:02am  
XREFS: V\_P\_ROW 0080620A V\_X\_TOPO BNDY 2018 0080620A V\_P\_ESM-TEMP C1-C14 0080620A  
USER: dhastings 806200dr



**LEGAL DESCRIPTION**

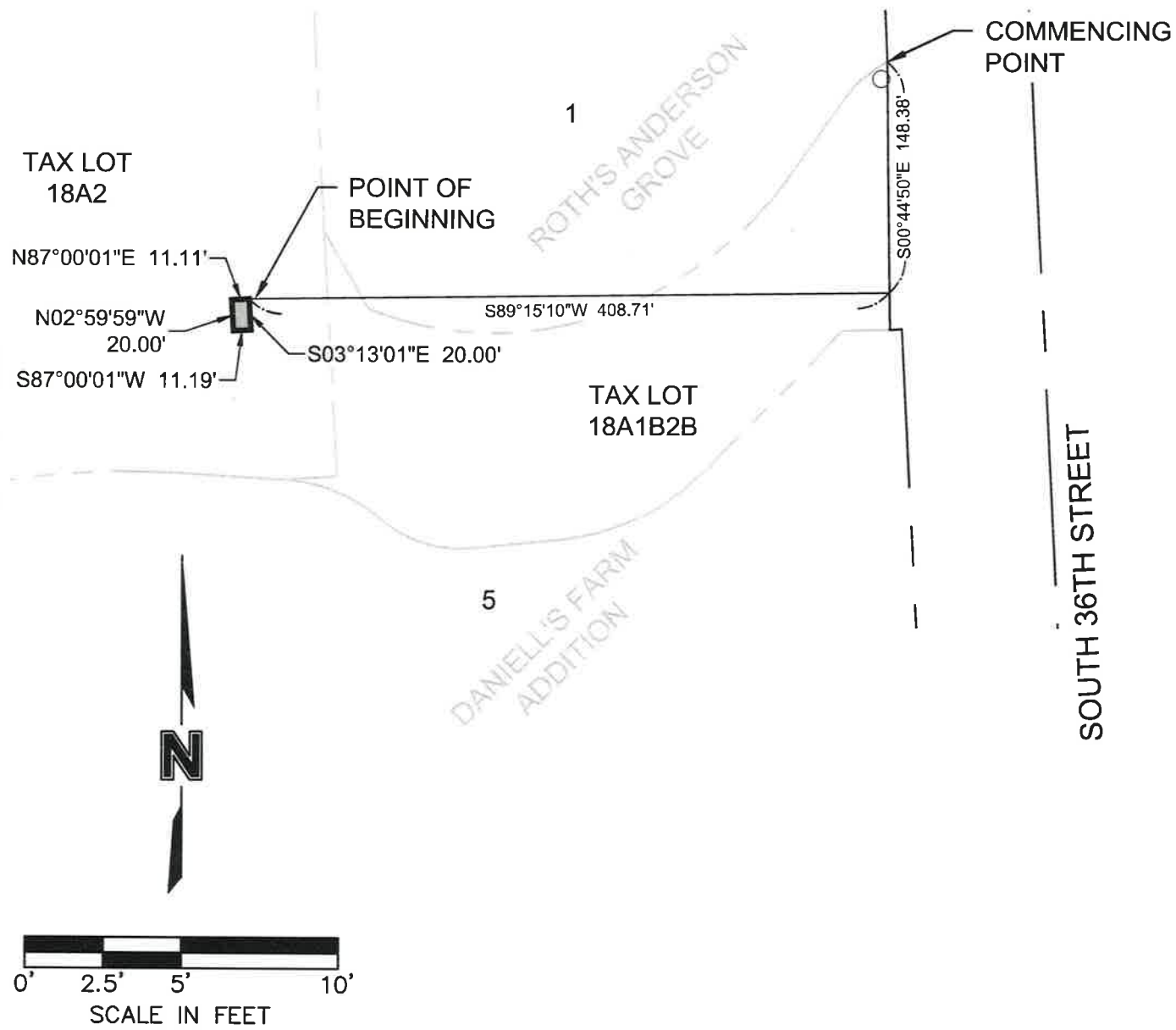
A PERMANENT DRAINAGE EASEMENT LOCATED IN TAX LOT 18A1B2B, IN THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 13 NORTH, RANGE 13 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID TAX LOT 18A1B2B, SAID CORNER ALSO BEING ON THE WEST RIGHT-OF-WAY LINE OF SOUTH 36TH STREET; THENCE ON SAID WEST RIGHT-OF-WAY LINE OF SOUTH 36TH STREET ON AN ASSUMED BEARING OF S00°44'50"E, 92.81 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ON SAID WEST RIGHT-OF-WAY LINE OF SOUTH 36TH STREET, S00°44'50"E, 17.23 FEET; THENCE S59°46'07"W, 2.57 FEET; THENCE N30°13'53"W, 15.00 FEET; THENCE N59°46'07"E, 11.05 FEET TO THE POINT OF BEGINNING.

SAID PERMANENT DRAINAGE EASEMENT CONTAINS A CALCULATED AREA OF 102.20 SQUARE FEET OR 0.002 ACRES, MORE OR LESS.

PROJECT NO: A08-0620	PERMANENT DRAINAGE EASEMENT	 2111 South 67th Street, Suite 200 Omaha, NE 68106 TEL 402.341.1116 FAX 402.341.5895	EXHIBIT
DRAWN BY: DSH			D1-1
DATE: 10/02/2018			

DWG: F:\Projects\008-0620-A\40-Design\Survey\SRVY\Sheets\PERM EASE\VP\_ESM-TEMP 0080620A.dwg  
DATE: Oct 09, 2018 11:18am  
XREFS: V\_P\_ROW 0080620A  
V\_P\_ESM-TEMP C1-C14 0080620A  
USER: dhastings  
808200dr



**LEGAL DESCRIPTION**

A PERMANENT DRAINAGE EASEMENT LOCATED IN TAXLOT 18A2, IN THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 13 NORTH, RANGE 13 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID TAX LOT 18A1B2B, SAID CORNER ALSO BEING ON THE WEST RIGHT-OF-WAY LINE OF SOUTH 36TH STREET; THENCE ON SAID WEST RIGHT-OF-WAY LINE OF SOUTH 36TH STREET ON AN ASSUMED BEARING OF S00°44'50"E, 148.38 FEET; THENCE S89°15'10"W, 408.71 FEET TO THE POINT OF BEGINNING; THENCE S03°03'01"E, 20.00 FEET; THENCE S87°00'01"W, 11.19 FEET; THENCE N02°59'59"W, 20.00 FEET; THENCE N87°00'01"E, 11.11 FEET TO THE POINT OF BEGINNING.

SAID PERMANENT DRAINAGE EASEMENT CONTAINS A CALCULATED AREA OF 223.03 SQUARE FEET OR 0.005 ACRES, MORE OR LESS.

PROJECT NO: A08-0620	PERMANENT DRAINAGE EASEMENT	 2111 South 67th Street, Suite 200 Omaha, NE 68106 TEL 402.341.5895 FAX 402.341.5895	EXHIBIT  D1-2
DRAWN BY: DSH			
DATE: 10/02/2018			



## City of Bellevue

Office of the City Clerk

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

July 12, 2019

From: Susan Kluthe, City Clerk

RE: Information for Administration Report

- Completion of Proceedings, Claims, Notice of Meetings, and Notices for Public Hearings for Bellevue Leader
- Completion of Minutes of 07.02.18 Council Meeting
- Attended Agenda Meeting 07.09.19
- Posting of agenda for 7.10.19 Council Meeting
- Preparation of Council Packet and put on City of Bellevue & Sparq websites for the 7.10.19 Council Regular Meeting
- Continue to work on organizing office files, both paper and electronic
- All the Firework Stand locations have been inspected, Capt. Gifford reported they were all cleaned up and deposit refund requests have been submitted
- Prepared notice for all Class "C" Liquor License Renewals and sent to Bellevue Leader for publication
- Working on publication of wages & salaries to be put in the Bellevue Leader which is required once a year
- Unpaid Vender fees for Annual Occupation Tax Stickers (8) – making calls to check status of last unpaid vendors
- Board of Equalization Meeting – Planning on having before Council Meeting on August 20<sup>th</sup> @ 5:30 p.m.
- Updating appointment list on boards, committees, and task forces
- Continuing to scan & file of documents into Contract Management Program, Laser Fiche, and file paper copy
- Day to day tasks





## CITY OF BELLEVUE

### FINANCE DEPARTMENT

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

## Bellevue Finance Department Status Report July 16, 2019

### **ACCOUNTING AND FINANCE**

- Nearing Final Draft of Budget Proposal for 2019-2020 Fiscal Year
- Capital Improvement Projects for 2019-20 being prioritized
- Working on Annexation Analyses
- Continued Revision/Development of Finance Policies
- Treasury management; Deposit confirmations, Researched undocumented cash receipts
- Issued payments for approved expenses
- Payroll downloads/import into Abila
- Data Entry of Journal Entries for department
- Authorized CDBG reimbursement
- Researched bills on minute record
- June bank reconciliations
- Capital forecast update
- Third quarter forecast work
- AP Review
- Monthly tax reports
- Monthly allocations to departments for fuel, fleet and postage, office supplies, janitorial supplies
- Monthly Treasurer's Report for June 2019

### **CDBG:**

- Held public hearing regarding the 2019-2023 Consolidated Plan and 2019 Action Plan including the funding recommendation for FY19 during the July 2<sup>nd</sup> council meeting.
- Reviewed CDBG Timeliness Workout Plan and update current balances with anticipated expenses to verify all regulation requirements will be met.
- Updated IDIS activity balances, review at-risk activities and submit remediation plan, and input subrecipient accomplishment reporting data.
- Reviewed Chandler Hills Reconstruction Project certified payroll, current invoices and change orders and conduct site visit.

## **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
- Processed appropriate invoices for payment
- Continued to manage modified duties for restricted employees
- Conferred with legal, employees, and insurance carrier on liability claims/lawsuits
- Continued to work towards a resolution with the city property flood damage claim
- Provided orientation to one new employee
- Met with Broker to plan marketing strategy for property/casualty insurance renewals
- Began planning for work comp audit to be conducted by NE Work Comp Court on July 29
- Per liability underwriter's request, wrote a Concussion and Head Trauma policy for youth involved in the Recreation Department's sports programs. Provided educational information for staff and volunteer coaches.
- Continued providing PPE to Public Works shops as needed
- Followed up with Parks Dept. on play equipment that needs to be removed due to safety concerns
- Worked on ADA updates, reports and City Transition plan and met with CA to discuss committee
- Seasonal park and facilities safety inspections
- Inspected all pools for safety and ADA issues
- Met with CDBG Consultant on ADA issues
- Checked on status of old church repairs set to begin July 1
- Inventoried PPE locker and restocked with necessary items
- Conducted all duties associated with surplus equipment auction
- Total Surplus Sales as of today: **\$347,455.51**

Respectfully submitted,

Rich Severson  
Finance Director, City of Bellevue



## City of Bellevue

### Fire Department

211 West 22<sup>nd</sup> • Bellevue, Nebraska 68005 • (402) 293-3153

## Bellevue Fire Department Council Report

Report Date 6/30/2019

### A. General Items:

- QA/QI
- Transport Medic 21 to the body remount shop in Minnesota.
- Omaha Health Care Coalition General Membership Meeting Tuesday
- Sarpy LEPC Meeting Wednesday
- June end of month reports
- Working on staffing for Sarpy County fair (end of July, beginning of August)
- Working on July pre-incident fire planning

### B. Training:

- Map training
- Forcible entry training.
- Saw familiarization and skills.
- Probationary paramedic's airway emergencies.

### C. Inspections:

- Inspect clean up and removal of fire work stands.
- Fire sprinkler main inspection of Planet Fitness.
- Flush fire sprinkler main for Bryan Middle School.
- NFPA code training Thursday and Friday in Lincoln.

### D. Calls:

Fire –  
Rescue -





## City of Bellevue

### Fire Department

211 West 22<sup>nd</sup> • Bellevue, Nebraska 68005 • (402) 293-3153

#### E. Ambulance Billing

##### June 1-30, 2019

\$ 122,286.00 has been billed out to insurance companies (157 insurance claims)  
 <\$ 55,028.70> approximate amount we will have to write off due to mandatory adjustments/write-offs  
 (45% of \$122,286.00)

=====

**\$ 67,257.30** is the anticipated, approximate net revenue from these insurance billings

##### Deposited into Bank:

**\$ 57,437.10** deposited into the bank June 1-30, 2019.

**3,520.09** in Credit/Debit card payments for June 1-30, 2019.

**\$ 60,957.19 TOTAL** June 1-30, 2019 rescue fee revenue

##### Statement Billing:

263 statements were mailed to patients for unpaid account balances.

These statements totaled \$137,993.23

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

#### F. Manpower Report Staffing

##### Staffing Report from 6/24/2019 through 6/30/2019

Monday	AM	E41	3-Person	
Monday	PM	Full		
Tuesday	AM	Full		
Tuesday	PM	E31	3-Person	
Wednesday	AM	Full		
Wednesday	PM	Full		
Thursday	AM	T21, E41	3-Person	
Thursday	PM	Full		
Friday	AM	T21, E41	3-Person	
Friday	PM	Full		
Saturday	AM	E1, T21, E31, E41	3-Person	EMS Sup 2 OOS
Saturday	PM	E1, E31	3-Person	E41 OOS
Sunday	AM	E1, E31, E41	3-Person	EMS Sup 2 OOS
Sunday	PM	E1	3-Person	





# City of Bellevue

Fire Department

211 West 22<sup>nd</sup> • Bellevue, Nebraska 68005 • (402) 293-3153

## Staffing Report from 7/1/2019 through 7/7/2019

Monday	AM	Full	
Monday	PM	Full	
Tuesday	AM	E31 3-Person	
Tuesday	PM	Full	
Wednesday	AM	E41 3-Person	
Wednesday	PM	Full	
Thursday	AM	Full	
Thursday	PM	Full	
Friday	AM	E1, T21, E31, E41 3-Person	
Friday	PM	Full	
Saturday	AM	T21, E41 3-Person	
Saturday	PM	E1, E41 3-Person	
Sunday	AM	E41 3-Person	EMS Sup 2 OOS
Sunday	PM	T21, E41 3-Person	



## City of Bellevue

### Personnel Department

1500 Wall Street • Bellevue, Nebraska 68005 • (402) 293-3019

## Human Resources Department Activity Report July 8, 2019

As per your request the following is a synopsis of the day to day activity performed by the HR Coordinator:

### **Record Management:**

Prep, Input and Record Payroll Changes for processing for July 12th

Processed Address Changes – 1

Name Change - 0

Travel & Training Requests Processed - 4

Narratives Received – 4

Recorded Performance Evaluations - 2

Verifications of Employment – 3

### **Applicants/Recruitment:**

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

0 - Full Time Exit

1 – Full Time Benefit Orientation

0 - Promotion

0 – Return from Leave

0 – Transfer

0– Leave of Absence

1 - Resignations/Terminations

### **Benefit Administration:**

Enrollment/Rollovers - 6

Retirement Payout/Withdrawal - 0

Processed 457 Transfers/Enrollments/Changes - 1

Beneficiary Changes - 0

QDRO - 0

Processed New or changes to Principal Loan – 0

Processed new employees and enrolled them in TASC

Reconcile Retiree Payments and notified the retirees of payment amounts due.

Updating all files and data base with new amounts for voluntary life insurance files

Updating all files and data base with new LTD amounts and census for monthly billing

Auditing all beneficiaries for retirement and life ongoing

Participated in Insurance Survey for Multiple Cities

### **Payroll Administration:**

Salary authorizations sheets sent to supervisors, directors and City Administrator in preparation for payroll increases.

Audited TASC payroll verification for correct amounts withdrawn

Communicating new UBA system for FSA participants and correcting the discrepancies found in the new system



## City of Bellevue

### Personnel Department

1500 Wall Street • Bellevue, Nebraska 68005 • (402) 293-3019

#### **Payroll Specialist**

Payroll processing

Phone backup for Human Services

Personnel file filing

Figure FLSA pay Fire Dept. This occurs every 28 days.

Calculating all Admin times for all Classified and Unclassified

Calculating all comp times for all CEA members

After all balancing is done to Payroll Register, the usual payments or checks being printed to all misc. banks for all the following union dues: BPMA, CSBPOA, BPOA, CEA, IAFF and BPFA

Usual upload for all retirements which includes: Principal, John Hancock and Voya,

These are for the following: Civilians, Police and Fire Depts.

#### **Human Services**

Human Service Manager complete 11 Financial Applications and attended 10 Community Meetings concerning financial assistance or flood relief. The Human Service Manager also completed one New Employee Orientation.

**Specialized Transportation** Specialized transportation traveled 2,405 miles with 358 passengers and the office registered nine new clients.



## City of Bellevue

Bellevue Public Library

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

### Memo

**To:** Jim Ristow, City Administrator

**From:** Julie Dinville, Library Director

**Date:** 7/2/2019

- Twenty-two youths participated in the American Red Cross Babysitting Certification Course held Saturday, June 29, as part of the Young Adult 2019 Summer Library Program (SLP). This was the first of two sessions with the second scheduled for July 20. The American Red Cross gives the library a discounted rate for the courses (\$76.50 versus the usual \$89), which is then made available to those participating in the library-sponsored course. The workshops are open to youths 11-18.
- The maker program to create Galaxy Tees/Bags on Thursday, June 27, drew 28 participants in this 2019 Young Adult SLP event. Participants had a chance to make either unique shirts or bags, creating a layered galaxy from paint, sponge brushes and more. Those taking part were asked to bring their own black or dark blue cotton short or a cotton/canvas tote bag. Paint and other supplies were provided.
- City Administrator Jim Ristow and Library Director Julie Dinville met with representatives of the Leo A. Daly architectural firm to talk about possible plans to explore a renovation/addition project to the current site of the library. The Leo A. Daly representatives indicated that they would be able to provide conceptual drawings in this fiscal year. They reviewed current space allocations at the library and talked about some priorities if a project were to go forward.
- Director Dinville and Sandra Astleford, systems administrator, held a teleconference with representatives from SirsiDynix to finalize elements of the BlueCloud Mobile app to be used for the library's catalog interface. The library hopes to have this new app available to the public to use with their mobile devices by at least the end of July.
- Children participating in the 2019 SLP had three opportunities for maker activities during the week, starting with making "Alien Eggs Slime" on June 26. Then on Thursday, June 27, they created solar system mobiles, and on Friday, June 28, they made constellation jars that could be lit up to show the night sky.





## City of Bellevue

### Bellevue Public Library

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

## Memo

**To: Jim Ristow, City Administrator**

**From: Julie Dinville, Library Director**

**Date: 7/9/2019**

- Children participating in the 2019 Summer Library Program (SLP) had a chance to make "Galaxy Art" on July 2 in two sessions. Participants used glow-in-the-dark paint to create their one-of-a-kind space art.
- The Bellevue Public Library will be hosting Omaha musician Joey Gulizia in a free concert on Tuesday, July 16, starting at 6:30 p.m. The concert is sponsored by the Nebraska Arts Council and the Nebraska Library Commission in support of communities which have been impacted by flooding this year.
- In late July and in early August, the library will be hosting a series of financial literacy workshops put together by Sequent. The seminars include "Medicare 101" on July 25; "Social Security Strategies" on July 30; "Estate Planning" on Aug. 1; and "Tax-Efficient Retirement" on Aug. 6. All of the sessions are free to the public.
- The summer Food Drive for the Bellevue Food Pantry continues through July 21 as part of the Young Adult 2019 SLP. Last week volunteers from the Food Pantry picked up 17 boxes of nonperishable food items and hygiene products donated by the community and library staff.
- Safe Kids for Sarpy and Cass counties handed out 37 helmets to children on June 26 during the Kids Cruisin' Kitchen mealtime at the library. The free helmets are part of an ongoing safety program by Safe Kids. Kids Cruisin' Kitchen will continue offering free meals to children 18 and under and their families through Aug. 8, at the library.
- The Children's and YA departments have two weeks remaining in their 2019 Summer Library Programs (SLPs). The Children's staff have held 64 programs in six weeks and have 21 remaining in the last two weeks of the annual SLP, including a trip to the UNO Planetarium. The YA Department has held 12 programs and have four remaining including the perennial favorite, the Teen Iron Chef contest on July 17.



## City of Bellevue

Office of the Planning Department

**To:** Mayor Hike  
City Council  
City Administrator Jim Ristow  
**From:** Chris Shewchuk, Planning Director *CMS*  
**Date:** July 10, 2019  
**Subject:** Department comments for Administration Report

The next Planning Commission meeting will be on Thursday, July 25. The Commission will be considering a change of zone request at 210 Galvin Road North, a change of zone with site plan approval for a multi-family residential development in the Normandy Hills area, an Omaha Public Schools application for a change of zone, small subdivision plat and Conditional Use Permit for an elementary school at Fort Crook and Childs Roads.

In addition to the above items, the July Planning Commission agenda will include public hearings on the annexation of seven Sanitary and Improvement Districts. These SIDs are:

SID #171	Tregaron
SID #177	Fox Ridge Estates
SID #182	370 Pointe
SID #183	Pilgrims Landing
SID #186	Oakhurst/Oakridge East
SID #197	Heartland Hills
SID #265	Williamsburg

In addition to these areas, we are also including nine additional unincorporated parcels which are adjacent to the SIDs.

For this annexation package, the Planning Department sent out more than 1,200 notifications to property owners.

At the August Planning Commission meeting, there will be up to nine additional SIDs on the agenda for annexation.

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## INTEROFFICE MEMORANDUM

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**TO:** JIM RISTOW  
**FROM:** CHIEF ELBERT  
**SUBJECT:** DIRECTORS BRIEF  
**DATE:** 7/10/2019

Vacancy in Code Enforcement is being re-posted with HR and they are accepting those applications for us. The slot being filled is the Code Enforcement Technician.

Backgrounds are still being conducted on possible Police candidates. Currently have 5 openings and the next interlocal academy (SDLEA) is about 2 months away. This will be the third local basic held with our interlocal agreement. Thus far we have graduated all our candidates.

Applications are being accepted for yet another recruit class. Applications are being accepted through July 31 with a test date of August 24<sup>th</sup>, 2019.

Possible candidates to replace BPD Business Manager Jody Van Houton (set to retire in August) are being vetted.

Working through various personnel issues with Legal.

The Officer Involved shooting from the end of June is still being processed via LaVista Police, Douglas County Sheriff, and ourselves.

Put together an annexation package for Planning. Roughly a 20% population increase and after studying the call load in each subdivision its roughly a 7% bump in work load.

Worked with Legal and the Sarpy County Atty's office on SWAT MOU.

## **Mark Elbert**

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**From:** Ed Foreman  
**Sent:** Monday, July 8, 2019 8:57 AM  
**To:** Mark Elbert; Dave Stukenholtz; Tim Melvin  
**Cc:** Joey Bockman; Ed Foreman  
**Subject:** Weekly Stats

CE1 – Monday July 1, 2019 thru Wednesday July 3, 2019; Friday July 5, 2019  
CE2 – Monday July 1, 2019 thru Wednesday July 3, 2019  
CE3 – Vacation all week.

Calls – 99

Notices:

Zoning – 7

Nuisance – 26

Clean Ups - 0

Tree Removal – 0

Certified Notices – 11

Officer Initiated – 20

Towed Vehicles – 1

Red Tags – 6



## **Mark Elbert**

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**From:** Ed Foreman  
**Sent:** Saturday, June 29, 2019 4:44 PM  
**To:** Mark Elbert; Dave Stukenholtz  
**Cc:** Joey Bockman; Ed Foreman  
**Subject:** Weekly Stats

CE1 – Off all week for vacation

CE2 – Monday June 24, 2019 thru Friday June 28, 2019

CE3 – Monday June 24, 2019 thru Friday June 28, 2019

Calls – 261

Notices:

Zoning – 5

Nuisance – 60

Clean Ups - 0

Tree Removal – 0

Certified Notices – 12

Officer Initiated – 22

Towed Vehicles – 3

Red Tags – 4

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& Associates  
HUMAN RESOURCE CONSULTING

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## POLICE OFFICER - DEPUTY SHERIFF EXAM NOTICE

### REGISTRATION IS NOW OPEN!

Morrow & Associates is now accepting registration packets for the Fall Police Exam 2019 for Nebraska Law Enforcement agencies. Pre-Registration is required. Minimum qualifications apply.

Registration fee is \$50.00 (no credit/debit cards).  
Packets are available online at [www.morrowhr.com](http://www.morrowhr.com),  
under Police Applicants; OR at Morrow's office,  
16707 Q Street, Suite 2A Omaha, NE 68135.  
Packet and fee must be received or postmarked by the closing date.

**CLOSING DATE: July 31, 2019**  
**EXAM DATE: August 24, 2019**

NOTE: THE INTEREST NOTIFICATION ON OUR WEBSITE IS NOT A REGISTRATION PACKET

#### **\*\*Morrow's office hours vary\*\***

Lobby Desk has all registration materials. Lobby hours are 9am-5pm.  
If further assistance is needed, call ahead for an appointment 402-330-1019

#### **ANNOUNCEMENT: POST EXAM SCORE TRANSFERS**

Transferable within 12 months of original score. Score transfer form MUST be used and is due at registration; other restrictions apply. Contact Morrow for more details.

For more information call (402) 330-1019, or email us at [info@morrowhr.com](mailto:info@morrowhr.com)



#### Participating Agencies:

Sarpy County  
Sheriff's Office

Douglas County  
Sheriff's Office

Cass County  
Sheriff's Office

Bellevue Police  
Department

Blair Police  
Department

Fremont Police  
Department

