

38TH REGULAR OMAHA CITY COUNCIL MEETING

NOVEMBER 18, 2014

THE CITY COUNCIL met in Regular Session on Tuesday, November 18, 2014 at 2:00 o'clock P.M. in the Legislative Chambers, Omaha/Douglas Civic Center, Omaha, Nebraska and was called to Order by Council President Pete Festersen.

ROLL CALL

1. City Clerk calls the roll.

CCID # 1407 – Present: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

2. Pledge of Allegiance.

3. Invocation by Council President Pete Festersen of District No. 1.

CERTIFICATION OF PUBLICATION - NOTIFICATION OF OPEN MEETING ACT

4. City Clerk certifies publication in Daily Record, the Official Newspaper of the City of Omaha on November 14, 2014, notice re: Pre-Council and Regular City Council Meetings, November 18, 2014.

CCID # 1408 – From Chair on File

A current copy of the Open Meeting Act is posted in a white binder on the east wall of the Legislative Chambers.

WHENEVER ANY PERSON HAS BEEN INVITED TO SPEAK, OR HAS BEEN GRANTED THE OPPORTUNITY OF SPEAKING BEFORE THE COUNCIL DURING A HEARING, EACH PERSON WILL BE REQUESTED TO BE BRIEF, AND TO LIMIT HIS OR HER PRESENTATION TO TEN MINUTES. WHEN MORE THAN ONE PERSON WISHES TO ADDRESS THE COUNCIL ON A GIVEN QUESTION, THE PROPONENTS WILL BE GIVEN THE OPPORTUNITY OF FIRST ADDRESSING THE COUNCIL. THE OPPONENTS OF THE QUESTION WILL BE GIVEN THE OPPORTUNITY TO SPEAK AFTER THE PROPONENTS' PRESENTATION. THE PROPONENTS WILL BE GIVEN A BRIEF PERIOD FOR REBUTTAL OF ANY NEW MATERIAL INTRODUCED DURING THE OPPONENT'S PRESENTATION, AFTER WHICH THE PUBLIC HEARING WILL BE CONCLUDED. IT IS CITY COUNCIL PROCEDURE THAT EACH SIDE RECEIVE TWENTY MINUTES FOR THEIR PRESENTATION. COUNCILMEMBERS WILL ASK QUESTIONS AT THE CONCLUSION OF THE PUBLIC HEARING.

ZONING ORDINANCES ON FINAL READING and Planning Board Attachments

5. Ord. to rezone the properties located southwest of 40th and Farnam Streets from GC-General Commercial District to NBD-Neighborhood Business District. ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 1351 – October 28 and November 4 Meetings)
Notice of public hearing on November 18, 2014 published in the Daily Record on October 31, 2014. Ordinance passed on November 18, 2014 published in the Daily Record on November 26, 2014.

CCID # 1351 – Motion by Gray that the Ordinance be passed

Seconded by Gernandt

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

ORDINANCE # 40178 – PASSED 7-0

- (a) Planning Board and Planning Department recommend approval of a request to rezone properties located southwest of 40th and Farnam Streets from GC-General Commercial District to NBD-Neighborhood Business District – [see attached](#).
(See Doc. # 1351 – October 28 Meeting)

1351 – From Chair on File

6. Ord. to rezone the property located at 2511 North 138th Street from R3-Single-Family Residential District (Medium-Density) to R4-Single-Family Residential District (High-Density). ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 1352 – October 28 and November 4 Meetings)
Notice of public hearing on November 18, 2014 published in the Daily Record on October 31, 2014. Ordinance passed on November 18, 2014 published in the Daily Record on November 26, 2014.

CCID # 1352 – Motion by Melton that the Ordinance be passed

Seconded by Gray

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

ORDINANCE # 40179 – PASSED 7-0

- (a) Planning Board and Planning Department recommend approval of a request to rezone the property located at 2511 North 138th Street from R3 to R4 – [see attached](#).
(See Doc. # 1352 – October 28 Meeting)

1352 – From Chair on File

7. Ord. to approve a Major Amendment to a Mixed Use District Development Agreement for West Grayhawk Replat Three to allow construction of several buildings containing office, commercial, fast food, and gas station uses southwest of 147th Street and West Maple Road between the City of Omaha and Royce Grayhawk, providing site development standards; and to provide for an effective date – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 1364 – October 28 and November 4 Meetings)
Notice of public hearing on November 18, 2014 published in the Daily Record on October 31, 2014. Ordinance passed on November 18, 2014 published in the Daily Record on November 26, 2014.

Jason Thiellen, E & A Consulting Group, 330 North 117th Street, appeared and spoke.

CCID # 1364 – Motion by Melton that the Ordinance be passed
Seconded by Gray

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

ORDINANCE # 40180 – PASSED 7-0

- (a) Planning Board and Planning Department recommend approval of a Major Amendment to a Mixed Use District Development Agreement for West Grayhawk Replat Three to allow construction of several buildings containing office, commercial, fast food, and gas station uses, located southwest of 147th Street and West Maple Road – [see attached](#).
(See Doc. # 1364 – October 28 Meeting)

1364 – From Chair on File

8. Res. that the plat transmitted herewith entitled WEST GRAYHAWK REPLAT THREE located southwest of 147th Street and West Maple Road, is hereby approved, and concurrently a portion of the existing plat entitled West Grayhawk Replat Two, and described on said replat, is hereby vacated – Inside City – over from 10/28/14 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 1365 – October 28 Meeting)

Jason Thiellen, E & A Consulting Group, 330 North 117th Street, appeared and spoke.

Motion by Melton that the Resolution be adopted

Seconded by Gray

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1365 – ADOPTED 7-0

- (a) Planning Board and Planning Department recommend approval of the Final Plat of WEST GRAYHAWK THREE, a minor plat inside the city limits, located southwest of 147th Street and West Maple Road – Inside City – over from 10/28/14 – [see attached](#).
(See Doc. # 1365 – October 28 Meeting)

1365 – From Chair on File

9. Res. that, the Subdivision Agreement among the City of Omaha, West Grayhawk Owners Association, a Nebraska not for profit corporation, and Royce Grayhawk, LLC, a Nebraska limited liability company, as recommended by the Mayor, providing for the Watershed Management fees, Interceptor Sewer fees, Parks fees, the City's contribution for public improvements, and sewer connection to the Omaha Sanitary Sewer System, is hereby approved. The Subdivision is to be known as West Grayhawk Replat 3 (Lots 1-6 and Outlot A) and is located southwest of 147th Street and West Maple Road – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

Jason Thiellen, E & A Consulting Group, 330 North 117th Street, appeared and spoke.

Motion by Melton that the Resolution be adopted

Seconded by Gray

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1434 – ADOPTED 7-0

RESOLUTION RE: PRELIMINARY PLAT

10. Res. that the preliminary plat entitled PRIME BUSINESS PARK REPLAT, located southwest of Old Highway 64 and West Maple Road, along with the attached conditions; is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized – Inside City – over from 10/28/14 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 1349 – October 28 Meeting)

THE FOLLOWING PERSONS APPEARED AND SPOKE:

Proponents: Douglas Dreessen, representing the applicant, Thompson, Dreessen and Dorner, 10836 Old Mill Road
Jim Buser, Law Offices of Pansing, Hogan, Ernst and Bachman, 10250 Regency Circle

For the City: Dave Fanslau, Planning Department

Motion by Gray that the Resolution be adopted

Seconded by Thompson

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1349 – ADOPTED 7-0

- (a) Planning Board and Planning Department recommend approval of the Preliminary Plat of PRIME BUSINESS PARK REPLAT, a subdivision inside the city limits, located southwest of Old Highway 64 and West Maple Road – Inside City – over from 10/28/14 – [see attached](#).
(See Doc. # 1349 – October 28 Meeting)

1349 – From Chair on File

SPECIAL USE PERMIT – SMALL GROUP LIVING

- 11. Res. that the Special Use Permit application submitted by Heather Sims for a Special Use Permit to allow Small group living (nondisabled) in a R4(35)-Single-Family Residential District (High Density), located at 5123 Pinkney Street, Omaha, Nebraska, is hereby approved and the Permits and Inspection Division is directed to issue the necessary permit therefor, provided the conditions set out in Exhibit "A" of the above referenced application, conditions set out in Exhibit "B", and all applicable local or state statutes, ordinances or regulations are complied with. That the proposed Special Use Permit has been reviewed and evaluated pursuant to, and meets each of, the criteria set forth in Section 55-885 of the Omaha Municipal Code – over from 11/4/14 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 1382 – November 4 Meeting)

Motion by Gray that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1382 – ADOPTED 7-0

- (a) Planning Board and Planning Department recommend approval of the request of Heather Sims for a Special Use Permit to allow Small group living (nondisabled) in a R4(35) District, located at 5123 Pinkney Street – over from 11/4/14 – [see attached](#).
(See Doc. # 1382 – November 4 Meeting)

1382 – From Chair on File

LIQUOR

12. CLASS "C" – Corkscrew2, Inc., dba "Corkscrew", 3908 Farnam Street. New application, New location. Property posted: 11-05-14; Notification sent: 11-07-14 – [see attached](#). ((YOU HAVE YOUR HEARING ON THE APPLICATION BUT YOUR MOTION SHOULD BE TO ADOPT A RESOLUTION EITHER TO GRANT OR DENY))

Corey Keith, 2004 South 182nd Circle, appeared and spoke.

Motion by Jerram that the Resolution to GRANT be adopted

Seconded by Gray

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1409 – ADOPTED 7-0

13. CLASS "C" – RMI Enterprises, LLC, dba "The Crossbones Bar", 5611 South 36th Street. New application, Old location. Present licensee is Hatt Boys, Inc., dba "Brass Monkey", 5611 South 36th Street, who has a Class "C" Liquor License – [see attached](#). ((YOU HAVE YOUR HEARING ON THE APPLICATION BUT YOUR MOTION SHOULD BE TO ADOPT A RESOLUTION EITHER TO GRANT OR DENY))

Michael Ivers, 4914 Pinkney Street, appeared and spoke.

Motion by Gernandt that the Resolution to GRANT be adopted

Seconded by Gray

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1410 – ADOPTED 7-0

14. CLASS "I" – Compass Group USA, Inc., dba "Chartwells", 7000 Mercy Road (Mercy Hall; Hixon Lied & Hilmer Art Gallery Buildings on College of St. Mary's Campus). New application, New location. Property posted: 11-05-14; Notification sent: 11-07-14 – [see attached](#). ((YOU HAVE YOUR HEARING ON THE APPLICATION BUT YOUR MOTION SHOULD BE TO ADOPT A RESOLUTION EITHER TO GRANT OR DENY))

Tim O'Neill, Attorney for the applicant, Harding and Schultz, 121 South 13th Street, Lincoln, NE, appeared and spoke.

Motion by Jerram that the Resolution to GRANT be adopted

Seconded by Thompson

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1411 – ADOPTED 7-0

15. CATERING – Tiger Cats, LLC, dba “Ingredient Restaurant”, 3201 Farnam Street, Suite 6101. New application, Old Location. Presently holds a Class “C” Liquor License. Property posted: 11-05-14; Notification sent: 11-07-14 – [see attached](#). ((YOU HAVE YOUR HEARING ON THE APPLICATION BUT YOUR MOTION SHOULD BE TO ADOPT A RESOLUTION EITHER TO GRANT OR DENY))

Motion by Gray that the Resolution to GRANT be adopted

Seconded by Jerram

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1412 – ADOPTED 7-0

16. Eagle Nebraska Beverage, LLC, dba “Field Club of Omaha”, 3615 Woolworth Avenue, requests permission to appoint Chris P. Bancroft manager of their present Class “C” Liquor License location – [see attached](#). ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))

Eric Holstein, representing the applicant, 3615 Woolworth Avenue, appeared and spoke.

CCID # 1413 – Motion by Jerram that the request be approved

Seconded by Gray

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Motion Carried 7-0

CONSENT AGENDA

(Any member of the City Council may cause any item placed on the Consent Agenda to be removed there from. Items removed from the Consent Agenda shall be taken up by the City Council immediately following the Consent Agenda in the order in which they were removed unless otherwise taken out of order as otherwise provided by the City Council Rules of Order.)

(The public hearings on Agenda Item Nos. 17 through 21 were held on November 4, 2014.)

CONSENT AGENDA – ORDINANCES

17. Ord. vacating the east 8 feet of 45th Street from Corby Street to Maple Street; and, providing the effective date hereof – [see attached](#).
(See Doc. # 1366 – October 28 and November 4 Meetings)
Notice of public hearing on November 4, 2014 published in the Daily Record on October 31, 2014. Ordinance passed on November 18, 2014 published in the Daily Record on November 26, 2014.

CCID # 1366 – Motion by Gray that the Ordinance be passed
Seconded by Gernandt

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

ORDINANCE # 40181 – PASSED 7-0

- (a) Planning Board and Planning Department recommend approval of the east 8 feet of 45th Street from Corby Street to Maple Street – Inside City – [see attached](#).
(See Doc. # 1366 – October 28 and November 4 Meetings)

1366 – From Chair on File

18. Ord. declaring the necessity of acquiring, for use by the City of Omaha, the necessary private property for the purpose of constructing Minne Lusa Stormwater Conveyance Sewer (CSO) and Storz Detention Basin Improvement Project, identified as City Project No. OPW 52004 & OPW 52454, providing that the City negotiate with the property owners for land acquisition, permanent easements, temporary construction easements and right of entries; providing that if said parcel cannot be obtained by negotiation, condemnation proceedings be undertaken and completed; and providing for the effective date hereof – [see attached](#).
(See Doc. # 1367 – October 28 and November 4 Meetings)
Notice of public hearing on November 4, 2014 published in the Daily Record on October 31, 2014. Ordinance passed on November 18, 2014 published in the Daily Record on November 26, 2014.

CCID # 1367 – Motion by Gray that the Ordinance be passed
Seconded by Gernandt

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

ORDINANCE # 40182 – PASSED 7-0

19. Ord. authorizing the issuance of a purchase order to Exclusive Janitorial & Final Cleaning, LLC for a 36-month price agreement as detailed in the attached bid tabulation for janitorial services at Central Maintenance Headquarters, located at 1523 South 24th Street, that is extendable on a yearly basis for two additional years at the sole option of the City, to provide for payments from appropriations of more than one year in accordance with Section 5.17 of the Home Rule Charter of 1956, as amended, to provide for payments from a specific account, and to provide an effective date hereof – [see attached](#).
(See Doc. # 1368 – October 28 and November 4 Meetings)
Notice of public hearing on November 4, 2014 published in the Daily Record on October 31, 2014. Ordinance passed on November 18, 2014 published in the Daily Record on November 26, 2014.

CCID # 1368 – Motion by Gray that the Ordinance be passed

Seconded by Gernandt

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

ORDINANCE # 40183 – PASSED 7-0

20. Ord. declaring the necessity of appropriating, for the use of the City of Omaha, certain hereinafter described vacant and improved properties at 2102 North 24th Street and located within the Long School Redevelopment Plan area, an area generally defined by Lake Street, 24th Street, Hamilton Street and 27th Street, for acquisition, relocation as appropriate, demolition of structures, preparation of sites, and subsequent use as sites for implementing the Long School Neighborhood Redevelopment Plan by the development of public parking on the site of a former gas station; provided that as to each specified parcel which cannot be obtained by negotiation, proceedings in eminent domain be undertaken and completed; project costs will be paid from FY 2012 Community Development Block Grant, Fund 12186, Organization 128037, Award 100061, Project 4134, Task 12.1355; and to provide the effective date hereof – [see attached](#).

(See Doc. # 1369 – October 28 and November 4 Meetings)

Notice of public hearing on November 4, 2014 published in the Daily Record on October 31, 2014. Ordinance passed on November 18, 2014 published in the Daily Record on November 26, 2014.

CCID # 1369 – Motion by Gray that the Ordinance be passed

Seconded by Gernandt

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

ORDINANCE # 40184 – PASSED 7-0

21. Ord. to approve the Second Amendment to Office Building Lease Agreement between Wiesman Development, LLC and the City of Omaha providing for the exercise of the current one year option to lease the property at 9864 M Street by the City of Omaha for use by the Omaha Police Department for the Southwest Precinct; increasing the basic annual rent to One Hundred Five Thousand Seven Hundred Thirty-Two and 00/100 Dollars (\$105,732.00), and to establish an initial operating charge of \$1,150 per month; providing the City of Omaha an additional one-year option to extend the term of the lease at an established basic rental rate; and to provide an effective date – [see attached](#).

(See Doc. # 1353 – October 28 and November 4 Meetings)

Notice of public hearing on November 4, 2014 published in the Daily Record on October 31, 2014. Ordinance passed on November 18, 2014 published in the Daily Record on November 26, 2014.

CCID # 1353 – Motion by Gray that the Ordinance be passed
Seconded by Gernandt

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

ORDINANCE # 40185 – PASSED 7-0

((MOTION NEEDED THAT THE ORDINANCES ON THE CONSENT AGENDA BE PASSED))

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(The public hearings on Agenda Item Nos. 22 through 51 are today. If you wish to address the City Council regarding these items, please come to the microphone, indicate the Agenda Item Number you wish to address, identify yourself by your name, address, who you represent, and if you are a proponent or opponent.)

CONSENT AGENDA – RESOLUTIONS

- 22. Res. that, as recommended by the Mayor, the contract with TAB Construction Company for OPW 52341, being Dahlman Avenue from “F” Street to 33rd Street improvements, in the amount of \$905,923.15 is hereby approved; and, that the Finance Department is authorized to pay this cost from the Sewer Revenue Improvement Fund 21124, Capital Assets Replacement Program Organization 116913, year 2014 expenditures – [see attached](#).

Motion by Gray that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1414 – ADOPTED 7-0

- 23. Res. that, as recommended by the Mayor, the contract with McGill Restoration, Inc. for OPW 52700, being Parking Division Facility Repairs in the amount of \$106,550.00 is hereby approved; and, that the Finance Department is authorized to pay this cost from the Parking Revenue Fund 21116, System Wide Parking Improvements Organization 116239, year 2014 expenditures – [see attached](#).

Motion by Gray that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1435 – ADOPTED 7-0

24. Res. that, as recommended by the Mayor, Change Order No. 1 for L.G. Roloff Construction Company to construct the necessary modifications to OPW 52134 being the Martha Street to Riverview Lift Station Phase 1 Project located near Missouri River at Martha Street, is hereby approved; and that, the Finance Department is authorized to pay an additional \$946,439.96, for these changes from the Sewer Revenue Improvement Fund 21124, CSO Control Implementation Organization 116918 – [see attached](#).

Motion by Gray that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1436 – ADOPTED 7-0

25. Res. that, as recommended by the Mayor, the City Council concurs with the bid award to TAB Holding Company, Inc., DBA TAB Construction for Project MAPA-5127(2), State Control No. 22376A, and OPW 52288, being the reconstruction of Blondo Street from Eldorado Drive to just east of 156th Street, in the amount of \$4,657,776.19, with the City's share of the construction and engineering costs in the amount of \$931,555.24 to be paid from the 2010 Transportation Bond Fund 13183, Organization 117117, in accord with the approved program agreement with NDOR for the project; and that the City Council hereby authorizes the Mayor and City Clerk to sign the construction contract on behalf of the City of Omaha, and that the Mayor and City Clerk are also authorized to sign the attached NDOR documents – [see attached](#).

Motion by Gray that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1438 – ADOPTED 7-0

26. Res. that, as recommended by the Mayor, the Supplemental Agreement No. 1 between the City of Omaha and Felsburg Holt & Ullevig for additional professional services on Project STPC-5011(9), State Control No. 22237, Agreement No. BK1422, and OPW 50416, being improvements to 108th Street from Madison Street to Q Street, with the City's local share of \$3,452.11, to be paid from the 2010 Transportation Bond Fund 13183, Organization 117117, is hereby approved; and that the City Council hereby authorizes the Mayor and City Clerk to sign the attached Agreement on behalf of the City of Omaha – [see attached](#).

Motion by Gray that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1416 – ADOPTED 7-0

27. Res. that, as recommended by the Mayor, the Professional Services Agreement with Thiele Geotech, Inc. for professional construction engineering services on Project OPW 52297, being the Nicholas Street Sewer Extension – Phase 2, is hereby approved; and that the Finance Department is authorized to pay a fee not to exceed \$62,263.00 for these professional services from the Sewer Revenue Improvements Fund 21124, CSO Control Implementation Organization 116918; Sewer Revenue Bonds will be issued to finance this project – [see attached](#).

Motion by Gray that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1417 – ADOPTED 7-0

28. Res. that, as recommended by the Mayor, the Construction Engineering Services Agreement between the City of Omaha and Nebraska Department of Roads (NDOR) to authorize the City to provide project management and construction engineering on Project BRO-7028(47), State Control No. 22235, and OPW 51160, being the replacement of the bridge on 96th Street near Rainwood Road, at the sole cost of the City as a part of its regular annual budget, is hereby approved; and that the City Council hereby authorizes the Mayor and City Clerk to sign the attached Agreement on behalf of the City of Omaha – [see attached](#).

Motion by Gray that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1418 – ADOPTED 7-0

29. Res. that, as recommended by the Mayor, the City Council concurs with the bid award to M. E. Collins Contracting Company, Inc. for Project BRO-7028(47), State Control No. 22235, and OPW 51160, being the reconstruction of the North 96th Street Bridge, about 2,000 feet north of Rainwood Road, in the amount of \$389,946.47, with the City's share of the construction and engineering costs in the amount of \$77,989.29 to be paid from the 2010 Transportation Bond Fund 13183, Organization 117117, in accord with the approved program agreement with NDOR for the project; and that the City Council hereby authorizes the Mayor and City Clerk to sign the construction contract on behalf of the City of Omaha, and that the Mayor and City Clerk are also authorized to sign the attached NDOR documents – [see attached](#).

Motion by Gray that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1437 – ADOPTED 7-0

30. Res. that, as recommended by the Mayor, the bids from Charlie's Excavating, Inc., Cockerill Enterprises, Inc., DPS LLC, Dana Enterprises, Inc., Gruhn Trucking, Inc., Leeway Trucking, Inc., Melvin Sudbeck Homes, Inc., Pink Grading, and Sibbersen Excavating for snow removal equipment and hauling equipment for the 2014-2015 winter season as detailed in the bid tabulation, be accepted; and, that the Finance Department is authorized to pay this cost from the Street and Highway Allocation Fund 12131, Snow and Ice Control Organization 116154, year 2014 expenditures; and, that the Public Works Department be authorized to negotiate with additional contractors for equipment at the same rate or less and enter into a contract not to exceed the highest bid accepted – [see attached](#).

Motion by Gray that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1415 – ADOPTED 7-0

31. Res. that, the Communications Cable and Facilities Agreement between the City of Omaha and Children's Hospital & Medical Center, as recommended by the Mayor, providing for the installation of communication cable in City Right of Way is hereby approved. The location of the communication cable will be reviewed and approved by the Public Works Department – [see attached](#).

Motion by Gray that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1439 – ADOPTED 7-0

32. Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Omaha Truck Center for the purchase of two truck chassis and cabs – sewer jets (35,000 GVW) to be utilized by the Sewer Maintenance Division in the amount of \$146,610.00; and, that the Finance Department is authorized to pay this cost from the Sewer Revenue Fund 21121, Sewer Maintenance Organization 116511, year 2014 expenditures; and, that Resolution No. 1271, adopted October 7, 2014, is hereby rescinded – [see attached](#).

Motion by Gray that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1419 – ADOPTED 7-0

33. Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Municipal Pipe and Tool Company, LLC for the purchase of two truck mounted high pressure sewer cleaners to be utilized by the Sewer Maintenance Division in the amount of \$272,847.00; and that the Finance Department is authorized to pay this cost from the Sewer Revenue Fund 21121, Sewer Maintenance Organization 116511, year 2014 expenditures – [see attached](#).

Motion by Gray that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1433 – ADOPTED 7-0

34. Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Norseman Environmental Sales for the purchase of 5,000 curbside recycling containers to be utilized by the Environmental Quality Control Division in the amount of \$31,250.00; and, that the Finance Department is authorized to pay this cost from the General Fund 11111, Solid Waste Collection and Disposal Organization 116321, year 2014 expenditures – [see attached](#).

Motion by Gray that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1440 – ADOPTED 7-0

35. Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to the United States Postal Service in the amount of \$22,197.82 for the winter mailing of 128,683 Wasteline newsletters by the Environmental Quality Control Division; and, that the Finance Department is authorized to pay this cost from the General Fund 11111, Solid Waste Collection and Disposal Organization 116321, year 2014 expenditures – [see attached](#).

Motion by Gray that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1420 – ADOPTED 7-0

36. Res. the attached Contract between the Metropolitan Area Planning Agency and the City of Omaha, setting forth that the City of Omaha, through its Planning Department, agrees to perform planning activities which will include but not limited to the evaluation of the effects of population, housing, land use, and the developmental trends on the City of Omaha transportation system, is hereby approved, and the Mayor and City Clerk are hereby authorized to execute and attest the attached Contract. In-kind services provided by the Planning Department or funds in the amount of Forty-Eight Thousand Six Hundred Eighty Six and No/100 Dollars (\$48,686.00) shall be paid from the Planning Department, Fund 11111 and Organization 109031 – [see attached](#).

Motion by Gray that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1460 – ADOPTED 7-0

37. Res. that, the attached Grant Agreement, as recommended by the Mayor, to provide funding in the amount of \$42,645.00 for the rehabilitation and lead reduction work, when applicable, to the property owned by Anny B. Brooks located at 2310 North 33rd Street, Omaha, NE 68111, is hereby approved. The contract is to be awarded to Rife Construction, Inc. Funds shall be paid as follows: \$27,145.00 from CDBG Target Area Program 2014, Fund No. 12186, Org. No. 128072; \$15,500.00 from NAHTF 12-TFHP-7058 Housing Rehabilitation (Prospect Village), Fund No. 12141, Org. No. 128101 – [see attached](#).

Motion by Gray that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1441 – ADOPTED 7-0

38. Res. that, the attached Grant Agreement, as recommended by the Mayor, to provide funding in the amount of \$26,682.00 for the Lead-Based Paint Hazard Control work to the property owned by Martha Paniagua and Eduardo Guerrero Gonzalez located at 3015 SEWARD ST, Omaha, NE 68111, is hereby approved. The contract is to be awarded to Cherek's Home Repair. Funds shall be paid as follows: \$26,682.00 from Lead HHLB 2010 Healthy Homes Lead-based Paint Contractor Only, Fund No. 12136, Org. No. 128104 – [see attached](#).

Motion by Gray that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1442 – ADOPTED 7-0

39. Res. that, the attached Grant Agreement, as recommended by the Mayor, to provide funding in the amount of \$45,000.00 for the rehabilitation and lead reduction work, when applicable, to the property owned by Sherman Walker, Jr. and Florence Walker located at 1614 N 35 ST, Omaha, NE 68111, is hereby approved. The contract is to be awarded to R & R Construction. Funds shall be paid as follows: \$15,500.00 from NAHTF 12-TFHP-7058 Housing Rehabilitation (Prospect Village), Fund No. 12141, Org. No. 128101; \$29,500.00 from CDBG Target Area Program 2014, Fund No. 12186, Org. No. 128072 – [see attached](#).

Motion by Gray that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1443 – ADOPTED 7-0

40. Res. that, as recommended by the Mayor, the bid in the total amount of \$247,664.00 (includes Alternates #1, 2, & 3 in the amount of \$22,664.00), from McGinnis Construction, to furnish labor and materials to construct interior improvements, including new flooring, front counter, finishes, and associated improvements, at A. V. Sorensen Community Center, 4808 Cass Street, being the lowest and best bid received within bid specifications, attached hereto and made a part hereof, is hereby accepted. The Purchasing Agent is authorized to issue a purchase order in conformance herewith. Funds in this amount shall be paid from the 2010 Parks and Recreation Bond Fund No. 13355 and Organization No. 117317, Parks and Cultures Bond – [see attached](#).

Motion by Gray that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1421 – ADOPTED 7-0

41. Res. that, as recommended by the Mayor, the bid in the total amount of \$534,729.00 (includes Alternate #1, in the amount of \$36,000.00), from Phoenix Construction Group, LLC, to furnish labor and materials to renovate the pavilion and west bathhouse, including new windows, doors, restrooms, and associated electrical and plumbing at Levi Carter Park, 809 Carter Lake Shore Drive, being the lowest and best bid received within bid specifications, attached hereto and made a part hereof, is hereby accepted. The Purchasing Agent is authorized to issue a purchase order in conformance herewith. Funds in this amount shall be paid from the 2010 Parks and Recreation Bond Fund No. 13355 and Organization No. 117317, Parks and Cultures Bond – [see attached](#).

Motion by Gray that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1422 – ADOPTED 7-0

42. Res. that the appointment by the Mayor of Steven Widhalm to serve a three-year term as an air conditioning contractor member of the Air Conditioning & Air Distribution Board, primarily engaged in residential work and affiliated with a merit or open shop, said term shall commence November 29, 2014, and expire three (3) years thereafter, on November 28, 2017, be and hereby is confirmed and approved – [see attached](#).

Motion by Gray that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1423 – ADOPTED 7-0

43. Res. that the appointment by the Honorable Jean Stothert of Brad Marr, owner and operator of Lot 2 Restaurant and Wine Bar located at 6207 Maple Street, to be a member of the Benson Business Improvement Area Board replacing Jay Lund to serve a term from November 20, 2014 until such term shall expire on February 6, 2017, is hereby confirmed by the City Council – [see attached](#).

Motion by Gray that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1425 – ADOPTED 7-0

44. Res. that, the reappointment by the Honorable Jean Stothert of Dan J. Houlihan, owner and operator of Sullivan's Bar located at 3926 Farnam Street, to be a member of the Blackstone Business Improvement Board to serve an additional three-year term commencing upon December 18, 2014, and expiring on December 17, 2017, is hereby confirmed and approved – [see attached](#).

Motion by Gray that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1444 – ADOPTED 7-0

45. Res. that, the reappointment by the Honorable Jean Stothert of Bradley W. Iwen, owner and operator of Iwen Exposures Photography located at 3925 Farnam Street, to be a member of the Blackstone Business Improvement Board to serve an additional three-year term commencing upon December 18, 2014, and expiring on December 17, 2017, is hereby confirmed and approved – [see attached](#).

Motion by Gray that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1445 – ADOPTED 7-0

46. Res. that, the reappointment by the Honorable Jean Stothert of Jay P. Lund of the Lund Company, who is an owner of property at 3928 Farnam Street, to be a member of the Blackstone Business Improvement Board to serve a three-year term commencing upon December 18, 2014, and expiring on December 17, 2017, is hereby confirmed and approved – [see attached](#).

Motion by Gray that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1446 – ADOPTED 7-0

47. Res. that the reappointment by the Mayor of Cheryl Kiel to serve as the Architect member of the Building Board of Review, said term shall commence on November 22, 2014, and expire November 21, 2017, is hereby confirmed – [see attached](#).

Motion by Gray that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1447 – ADOPTED 7-0

48. Res. that the reappointment by the Mayor of Ronald Feuerbach to serve as the mechanical engineer member of the Building Board of Review, said term shall commence on December 20, 2014, and expire December 19, 2017, is hereby confirmed – [see attached](#).

Motion by Gray that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1448 – ADOPTED 7-0

AGENDA ITEM NO. 49 REMOVED FROM THE CONSENT AGENDA AT THE REQUEST OF THE CITY CLERK

49. Res. that the appointment by Mayor Stothert of Daniel G. Telecky as the Union Shop Journeyman Electrician member of the Electrical Examining Board, to serve a three-year term commencing November 20, 2014, and expire on November 19, 2017, be and hereby is confirmed and approved – [see attached](#).

CCID # 1426 – Motion by Jerram that the Resolution be laid over three weeks to December 9, 2014 and continue the public hearing

Seconded by Gray

ROLL CALL:

Yeas: Gernandt, Gray, Jerram, Pahls, Mr. President

Nays: Thompson, Melton

Motion Carried 5-2

- (a) Communication from Daniel Telecky requesting that Agenda Item No. 49 be withdrawn from the City Council agenda – [see attached](#).

1426 – From Chair on File

- (b) Communication from Daniel Telecky requesting that his request to withdraw Agenda Item No. 49 be withdrawn – [see attached](#).

1426 – From Chair on File

50. Res. that the appointment by Mayor Jean Stothert of Joan Fogarty, as an interested and qualified person from an existing preservation group to the Landmarks Heritage Preservation Commission, to serve a term that will commence on November 6, 2014, and expire three (3) years thereafter on November 5, 2017, is hereby confirmed – [see attached](#).

Motion by Gray that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1427 – ADOPTED 7-0

51. Res. that the appointment by Mayor Jean Stothert of Ashley M. Horgan as a member of the City of Omaha Personnel Board to serve a five-year term commencing upon November 21, 2014, and expiring on November 20, 2019, be and hereby is confirmed and approved – [see attached](#).

Motion by Gray that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1428 – ADOPTED 7-0

((MOTION NEEDED THAT THE RESOLUTIONS ON THE CONSENT AGENDA BE ADOPTED))

* * * * *

RESOLUTIONS

52. Res. that the Final Offer attached as Exhibit “A” to this Resolution is the City of Omaha’s Final Offer to the Professional Firefighters Association of Omaha, Local 385, for calendar years 2015, 2016 and 2017 for the wages, employee benefits and overall compensation practices for members of the Professional Firefighters Association of Omaha, Local 385, is hereby approved – over from 10/21/14 – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 1343 – October 21 Meeting)

Motion by Thompson that the Resolution be adopted

Seconded by Melton

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1343 – ADOPTED 7-0

**“PURSUANT TO CITY COUNCIL RULE VII F
AGENDA ITEM NOS. 53 THROUGH 54
SHALL BE LAID OVER THREE WEEKS
FOR PUBLICATION AND PUBLIC HEARING”**

53. Res. that, the attached The Flats on Howard Tax Increment Financing (TIF) Redevelopment Project Plan which is generally bounded by Dewey Avenue and Landon Court between 22nd and 24th Streets, which contemplates completely rehabilitating the structurally sound buildings within the Howard Street Historic Apartment District into 153 market rate apartments with approximately 147 private parking spaces, recommends the City’s participation through the allocation of TIF in an amount up to \$2,220,000.00 to offset TIF eligible costs such as acquisition, site preparation and site work, any environmental costs, architectural and engineering fees, and public improvements as required, which includes \$30,000.00 of the TIF proceeds/loan contributed toward the Downtown Public Improvement Fund; containing a provision for the division of ad valorem taxes under Section 18-2147 through 18-2150, Revised Statutes of Nebraska, as recommended by the City Planning Department, be and hereby is approved – [see attached](#).

Notice of public hearing on December 9, 2014 published in the Daily Record on November 21, 2014.

CCID # 1449 – Over three weeks to December 9, 2014 for publication and public hearing pursuant to City Council Rule VII F.

54. Res. that, the attached 5018 Underwood Tax Increment Financing (TIF) Redevelopment Project Plan located at 5018 Underwood Avenue, which contemplates demolishing the existing structure, and constructing a new three-story, mixed-use structure consisting of ground floor commercial retail space, medical office on the second floor, market rate apartments on the third floor, and 15 parking stalls behind the building accessible via the alley, recommends the City’s participation through the allocation of TIF in an amount up to \$650,000.00 to offset TIF eligible costs such as acquisition, demolition, site preparation, environmental, architectural and engineering fees, and any public improvements as required; containing a provision for the division of ad valorem taxes under Section 18-2147 through 18-2150, Revised Statutes of Nebraska, as recommended by the City Planning Department, be and hereby is approved – [see attached](#).

Notice of public hearing on December 9, 2014 published in the Daily Record on November 21, 2014.

CCID # 1450 – Over three weeks to December 9, 2014 for publication and public hearing pursuant to City Council Rule VII F.

* * * * *

SALVAGE DEALER BUSINESS

55. Res. that the application of Scrap Central, Inc. to establish a salvage dealer business at 2728 North 85th Street, Omaha, Nebraska, be and hereby is approved and the Permits and Inspections Division is directed to issue the necessary permit therefore, contingent upon continued compliance with all requirements made and provided by law – over from 11/4/14 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING IS TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 1389 – November 4 Meeting)

Motion by Melton that the Resolution be adopted

Seconded by Gray

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1389 – ADOPTED 7-0

APPEAL RE: BID REJECTION

56. Kevin Meier, representing VISCO Electrical Products Company, appeals the rejection of their bid of September 17, 2014 for String of Pearls LED Retrofit and Replacement Globe Kits project – [see attached](#). ((PUBLIC HEARING TODAY – MOTION NEEDED TO ALLOW OR DENY THE APPEAL, AND IF ALLOWED, DIRECT THE DEPARTMENT ACCORDINGLY))

CCID # 1429 – Motion by Jerram that the appeal be denied

Seconded by Melton

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Motion Carried 7-0

57. Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Kriz Davis Company for the purchase of LED Retrofit and Replacement Globe Kits to be utilized by the Traffic Maintenance Division for the String of Pearls in the amount of \$90,687.00; and, that the Finance Department is authorized to pay this cost from the Street and Highway Allocation Fund 12131, General Street Lighting Organization 116211, year 2014 expenditures – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

Motion by Gernandt that the Resolution be adopted

Seconded by Gray

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1430 – ADOPTED 7-0

RESOLUTIONS RE: LEGISLATIVE PACKAGE

58. Res. that at the request of Council President Pete Festersen and the Administration, the legislative package of the City of Omaha for the First Session of the One-Hundred and Fourth Legislature of the State of Nebraska shall include support for legislation, if introduced, to make the conviction of a crime for using a facsimile gun carry the same penalty as if using a real gun – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

Motion by Gray that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1462 – ADOPTED 7-0

59. Res. that at the request of Council President Pete Festersen, the legislative package of the City of Omaha for the First Session of the One-Hundred and Fourth Legislature of the State of Nebraska shall include a proposal to introduce legislation to change the law requiring the State of Nebraska to carry forward the balance of local option sales tax refunds for all classes of cities for one year under State economic incentive laws like it currently does for smaller cities and villages – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

Motion by Gray that the Resolution be adopted

Seconded by Melton

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1463 – ADOPTED 7-0

60. Res. that at the request of Councilmembers Ben Gray, the legislative package of the City of Omaha for the First Session of the One-Hundred and Fourth Legislature of the State of Nebraska shall include support for legislation, if introduced, to require the withholding of insurance proceeds until a property owner demolishes and cleans up a fire damaged property – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

Motion by Gray that the Resolution be adopted

Seconded by Thompson

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1464 – ADOPTED 7-0

61. Res. that at the request of Councilmember Ben Gray, the legislative package of the City of Omaha for the First Session of the One-Hundred and Fourth Legislature of the State of Nebraska shall include support for legislation, if introduced, to require financial institutions to provide a name, address and phone number of a responsible bank employee to take and administer weed and litter complaints on foreclosed properties – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

Motion by Gray that the Resolution be adopted

Seconded by Thompson

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1465 – ADOPTED 7-0

62. Res. that at the request of Councilmember Ben Gray, the legislative package of the City of Omaha for the First Session of the One-Hundred and Fourth Legislature of the State of Nebraska shall include a proposal to require pre-owned motor vehicle dealerships to provide a 90-day warranty on every used vehicle they sell – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

CCID # 1466 – Motion by Gray that the Resolution be withdrawn

Seconded by Gernandt

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Motion Carried 7-0

63. Res. that, at the request of Councilmember Rich Pahls, the legislative package of the City of Omaha for the First Session of the One-Hundred and Fourth Legislature of the State of Nebraska shall include support for legislation, if introduced, to increase the amount of state funds for tourism promotion in the State – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

Motion by Pahls that the Resolution be adopted

Seconded by Thompson

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1467 – ADOPTED 7-0

64. Res. that, at the request of Councilmember Aimee Melton and the Administration, the legislative package of the City of Omaha for the First Session of the One-Hundred and Fourth Legislature of the State of Nebraska shall include a proposal to allow Metropolitan class cities to hold city elections in even number years – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

CCID # 1468 – Motion by Melton that the Resolution be adopted
Seconded by Thompson
ROLL CALL:
Yeas: Thompson, Melton, Pahls
Nays: Gernandt, Gray, Jerram, Mr. President
Motion LOST 3-4

65. Res. that at the request of Councilmember Chris Jerram, the legislative package of the City of Omaha for the First Session of the One-Hundred and Fourth Legislature of the State of Nebraska shall include a proposal to establish a process for mediation and/or arbitration of disputes between governmental subdivisions that requires political subdivisions with disputes with at least one other subdivision to mediate/arbitrate rather than litigate or, at least, before litigating – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

Motion by Jerram that the Resolution be adopted
Seconded by Thompson
ROLL CALL:
Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President
Res. # 1469 – ADOPTED 7-0

66. Res. that, at the request of Councilmember Chris Jerram, the legislative package of the City of Omaha for the First Session of the One-Hundred and Fourth Legislature of the State of Nebraska shall include support for legislation, if introduced, to allow for Transportation Network Companies to operate within the State and the City of Omaha and to be regulated by the Public Service Commission – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

Jack Cheloha, City Lobbyist, appeared and spoke.

Motion by Jerram that the Resolution be adopted
Seconded by Gray
ROLL CALL:
Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President
Res. # 1470 – ADOPTED 7-0

67. Res. that, at the request of Councilmembers Garry Gernandt, Ben Gray and Franklin Thompson, the legislative package of the City of Omaha for the First Session of the One-Hundred and Fourth Legislature of the State of Nebraska shall include a proposal to close a loophole in banking law whereby a lender would be required to record their name on registered deeds when foreclosure is perfected on a property – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

THE FOLLOWING PERSONS APPEARED AND SPOKE:

For the City: Jay Davis, Assistant Planning Director
Jack Cheloha, City Lobbyist

CCID # 1471 – Motion by Gernandt that the Resolution be withdrawn

Seconded by Gray

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Motion Carried 7-0

68. Res. that, at the request of the City Council and the Administration, the legislative package of the City of Omaha for the First Session of the One-Hundred and Fourth Legislature of the State of Nebraska shall include support for legislation, if introduced, of a bill to renew state aid to cities – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

Motion by Thompson that the Resolution be adopted

Seconded by Melton

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1472 – ADOPTED 7-0

69. Res. that, at the request of Councilmember Chris Jerram, the legislative package of the City of Omaha for the First Session of the One-Hundred and Fourth Legislature of the State of Nebraska shall include a proposal to change the distance used to calculate the “turnback” of state sales tax to a consistent length for all approved projects – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

CCID # 1473 – Motion by Jerram that the Resolution be placed on file

Seconded by Gray

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Motion Carried 7-0

70. Res. that, at the request of Councilmember Aimee Melton and the Administration, the legislative package of the City of Omaha for the First Session of the One-Hundred and Fourth Legislature of the State of Nebraska shall include a proposal to require Good Time to be earned only after an inmate successfully completes required programs while in prison to prevent recidivism – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

Jack Cheloha, City Lobbyist, appeared and spoke.

Motion by Melton that the Resolution be adopted

Seconded by Gray

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1474 – ADOPTED 7-0

71. Res. that, at the request of the Administration, the legislative package of the City of Omaha for the First Session of the One-Hundred and Fourth Legislature of the State of Nebraska shall include a proposal to require intensive supervised release for all inmates, especially those who complete their court-ordered sentences without parole – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

Motion by Melton that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1475 – ADOPTED 7-0

72. Res. that, at the request of the Administration, the legislative package of the City of Omaha for the First Session of the One-Hundred and Fourth Legislature of the State of Nebraska shall include support for legislation, if introduced, to declare a state of emergency and provide funding for local governments to develop a control plan for infestation of Emerald Ash Borer – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

THE FOLLOWING PERSONS APPEARED AND SPOKE:

For the City: Jack Cheloha, City Lobbyist

Brook Bench, Parks, Recreation and Public Property Director

Motion by Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1476 – ADOPTED 7-0

73. Res. that, at the request of the Administration, the legislative package of the City of Omaha for the First Session of the One-Hundred and Fourth Legislature of the State of Nebraska shall include a proposal to change laws on the requirement for peace officers to investigate and report on property damage motor vehicle accidents if the estimated damages exceed \$5,000.00 to the property of any one person, §60-695 – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

CCID # 1477 – Motion by Jerram that the Resolution be placed on file
Seconded by Gray

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President
Motion Carried 7-0

74. Res. that, at the request of the Administration, the legislative package of the City of Omaha for the First Session of the One-Hundred and Fourth Legislature of the State of Nebraska shall include a proposal to allow the creation of limited purpose SIDs inside the city limits to allow for development by increasing the tax levy within the new SID for the sole purpose of infrastructure costs related to development – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

Steve Curtiss, Finance Director, appeared and spoke.

CCID # 1478 – Motion by Gray that the Resolution be placed on file
Seconded by Thompson

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Pahls, Mr. President

Nays: Jerram, Melton

Motion Carried 5-2

75. Res. that, at the request of the Administration, the legislative package of the City of Omaha for the First Session of the One-Hundred and Fourth Legislature of the State of Nebraska shall include a proposal to freeze spending by an SID once the City notifies the SID Board of Directors of intent to annex. This legislation would prohibit the SID from spending assets that were used to determine the feasibility of annexation – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

Steve Curtiss, Finance Director, appeared and spoke.

Motion by Gernandt that the Resolution be adopted

Seconded by Melton

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1479 – ADOPTED 7-0

76. Res. that, at the request of the Administration, the legislative package of the City of Omaha for the First Session of the One-Hundred and Fourth Legislature of the State of Nebraska shall include a proposal to provide Nebraska municipalities with greater flexibility to meet the mandates of the Federal Clean Water Act; to authorize the Nebraska Department of Environmental Quality to consider both the financial capability of the community and the cost to benefit ratio of strict compliance with regulations – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

Marty Grate, Public Works Department, appeared and spoke.

Motion by Thompson that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1480 – ADOPTED 7-0

77. Res. that, at the request of Councilmember Garry Gernandt, the legislative package of the City of Omaha for the First Session of the One-Hundred and Fourth Legislature of the State of Nebraska shall include a proposal to redefine innocent third party under the vehicular pursuit statute §13-911 – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

Tom Mumgaard, Deputy City Attorney, appeared and spoke.

Motion by Gernandt that the Resolution be adopted

Seconded by Melton

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1481 – ADOPTED 7-0

78. Res. that, pursuant to the recommendation of the Law Committee of the City Council, the City Lobbyist, John A. “Jack” Cheloha, is hereby designated as the official lobbyist of the City of Omaha and its citizens before the Legislature, legislative committees and individual senators, and that all City employees are authorized to furnish information, reports, data and testimony before the Legislature, legislative committees and individual senators when deemed necessary or appropriate by the City Lobbyist when he is acting in his capacity as the official representative of the City – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

Jack Cheloha, City Lobbyist, appeared and spoke.

Motion by Gray that the Resolution be adopted

Seconded by Melton

ROLL CALL:

Yeas: Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Res. # 1482 – ADOPTED 7-0

**“PURSUANT TO CITY COUNCIL RULE VII D
THE PUBLIC HEARINGS
ON AGENDA ITEM NOS. 79 THROUGH 80
SHALL BE HELD ON THE THIRD READING”**

ZONING ORDINANCES ON SECOND READING

79. Ord. to amend the boundaries of the MCC-Major Commercial Corridor Overlay District, to incorporate into that district the property located Southeast of 132nd and “I” Streets; and to provide for an effective date – [see attached](#).
(See Doc. # 1390 – November 4 Meeting)

CCID # 1390 – ORDINANCE ON SECOND READING – Final reading to be held on November 25, 2014 as per City Charter requirements.

80. Ord. to amend the official zoning map of the City of Omaha adopted by Section 55-65 of the Omaha Municipal Code, by converting to Omaha zoning classifications areas of Douglas County added to the City of Omaha’s three-mile zoning jurisdiction – [see attached](#).
(See Doc. # 1392 – November 4 Meeting)

CCID # 1392 – ORDINANCE ON SECOND READING – Final reading to be held on November 25, 2014 as per City Charter requirements.

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ORDINANCES ON SECOND READING

81. Ord. declaring the necessity of appropriating, for the use of the City of Omaha, certain hereinafter described property located at 27th and Lake Street, and legally described in the attached purchase agreement, for subsequent use as a site for implementing the Consolidated Submission for Community Planning and Development Programs FY 2014 Action Plan; provided that as to each specified parcel, proceedings in eminent domain may be undertaken and completed for the purpose of clearing title; to provide that notwithstanding any provisions of the Omaha Municipal Code to the contrary, the attached Agreement between the City of Omaha and Nebraska First Jurisdiction Church of God in Christ, Inc., 5960 N. 30th Street, Omaha, NE 68111, to acquire the property for the sum of Seven Thousand One Hundred Seventy and NO/100 Dollars (\$7,170.00) is approved; project costs will be paid from Community Development Block Grant, Fund 12186, Organization No. 128037, Project No. 4134, Task 12.1355, Award 100061; and to provide the effective date hereof – [see attached](#). ((PUBLIC HEARING TODAY))
(See Doc. # 1393 – November 4 Meeting)

CCID # 1393 – Public hearing was held today – Final reading set for November 25, 2014 as per City Charter requirements.

82. Ord. approving a Contract between the City of Omaha, a Municipal Corporation, and BKD LLP, to approve and execute an Independent Annual Audit Agreement as provided in Section 2.21 of the Home Rule Charter of the City of Omaha, 1956, as amended, involving the payment of money from appropriations of more than one year as provided in Section 5.17 of the Home Rule Charter of the City of Omaha, 1956, as amended, for the performance of an audit examination of all City funds and accounts, for the fiscal years ending December 31, 2014, December 31, 2015, December 31, 2016, December 31, 2017 and December 31, 2018, made in accordance with the Official Proposal submitted on September 24, 2014, by BKD LLP; and to provide the effective date hereof. The Finance Department is authorized to pay for the 2014 to 2018 audits from the General Fund 11111, General Expense/Insurance 119014 – [see attached](#). ((PUBLIC HEARING TODAY))
(See Doc. # 1405 – November 4 Meeting)

Robyn Devore, Audit Partner with BKD LLP, 1120 South 101st Street, appeared and spoke.

CCID # 1405 – Public hearing was held today – Final reading set for November 25, 2014 as per City Charter requirements.

83. Ord. to approve a contract between the Omaha Convention & Visitors Bureau and Simpleview, Inc. for three years for tourism specific content management, sales solution, and hosting with an ongoing contract with the OCVB to host OCVB's website in an amount not to exceed \$437,955; to authorize the payments specified therein; and to provide an effective date – [see attached](#). ((PUBLIC HEARING TODAY))
(See Doc. # 1402 – November 4 Meeting)

CCID # 1402 – Public hearing was held today – Final reading set for November 25, 2014 as per City Charter requirements.

84. Ord. to approve an extension of an existing agreement between the City of Omaha and Swanson Russell, Inc., for the period January 1, 2015 through December 31, 2015, for advertising and marketing services for the Omaha Convention and Visitors Bureau in an amount not to exceed one million nine hundred thousand dollars (\$1,900,000); to authorize the payments specified therein; and to provide an effective date – [see attached](#). ((PUBLIC HEARING TODAY))
(See Doc. # 1403 – November 4 Meeting)

CCID # 1403 – Public hearing was held today – Final reading set for November 25, 2014 as per City Charter requirements.

85. Spec. Ord. levying a special tax and assessment on those lots and pieces of real estate within the Benson Business Improvement District No. 6875 and the City of Omaha to cover the costs and expenses of the Benson Business Improvement District No. 6875 created by Ordinance No. 38876 on November 23, 2010 and amended by Ordinance No. 39207 on December 20, 2011 which remain unpaid. WHEREAS, it having been and hereby is adjudged, determined and established that the several lots and pieces of real estate hereinafter referred to have each been specially benefited to the full amount herein levied and assessed against each of said lots and pieces of real estate, respectively, by reason of work performed by the Benson Business Improvement District No. 6875 in the 2014 calendar year. Thereafter for the purposes of paying for those costs of said improvements that have not yet been paid – [see attached](#). ((PUBLIC HEARING TODAY))
(See Doc. # 1394 – November 4 Meeting)

CCID # 1394 – Public hearing was held today – Final reading set for November 25, 2014 as per City Charter requirements.

86. Spec. Ord. levying a special tax and assessment on those lots and pieces of real estate within the Dundee Business Improvement District No. 6876 and the City of Omaha to cover the costs and expenses of the Dundee Business Improvement District No. 6876 created by Ordinance No. 39268 on March 13, 2012 which remain unpaid. WHEREAS, it having been and hereby is adjudged, determined and established that the several lots and pieces of real estate hereinafter referred to have each been specially benefited to the full amount herein levied and assessed against each of said lots and pieces of real estate, respectively, by reason of work performed by the Dundee Business Improvement District No. 6876 in the 2014 calendar year. Thereafter for the purposes of paying for those costs of said improvements that have not yet been paid – [see attached](#). ((PUBLIC HEARING TODAY))
(See Doc. # 1395 – November 4 Meeting)

CCID # 1395 – Public hearing was held today – Final reading set for November 25, 2014 as per City Charter requirements.

**“PURSUANT TO CITY COUNCIL RULE VII C
THE PUBLIC HEARINGS
ON AGENDA ITEM NOS. 87 THROUGH 98
SHALL BE HELD ON THE SECOND READING”**

ORDINANCES ON FIRST READING

87. Ord. to approve an Amendment to the Cypress Pointe II Tax Increment Financing (TIF) Redevelopment Agreement between the City of Omaha and Cypress Pointe II, LLC, a Nebraska limited liability company which was approved by Ordinance No. 39807 on October 22, 2013 for a project located at the southwest corner of 60th and Hartman Avenue; the amendment contemplates: 1) combining outlots A & B to Lot 1, through an administrative replat; 2) extend the lot boundary line through an administrative replat; 3) changing the division date year to 2015, and 4) changing the construction completion date to 2016; all other terms and conditions contained in the Redevelopment Agreement not amended hereby, shall remain in full force and effect – [see attached](#).

CCID # 1451 – Publication to be made and public hearing to be held on November 25, 2014 as per City Charter requirements.

88. Ord. approving a redevelopment and tax increment financing loan agreement between the City of Omaha and PBPM, LLC, a Nebraska limited liability company, to implement The Port Tax Increment Financing (TIF) Redevelopment Project Plan located at 4355 Davenport Street which provides for the complete rehabilitation of the three multi-family structures: from a total of 17 units to 14 functional, two- and three-bedroom units; the agreement authorizes the use of up to \$180,000.00 in excess ad valorem taxes (TIF) generated by the development to help fund the cost of the project; and providing for an effective date – [see attached](#).

CCID # 1452 – Publication to be made and public hearing to be held on November 25, 2014 as per City Charter requirements.

89. Ord. approving a redevelopment and tax increment financing redevelopment agreement between the City of Omaha and South Omaha Surgical Center Realty, LLC, a Nebraska limited liability company to implement the South Omaha Surgical Center Tax Increment Financing (TIF) Redevelopment Project Plan located at 3201 South 24th Street, which contemplates the adaptive re-use and conversion of a former bar into an out-patient surgical center; the agreement authorizes the use of up to \$239,651.00 in excess ad valorem taxes (TIF) generated by the development to help fund the cost of the project, and providing for an effective date – [see attached](#).

CCID # 1461 – Publication to be made and public hearing to be held on November 25, 2014 as per City Charter requirements.

90. Ord. rescinding Ordinance No. 38118 passed on June 10, 2008 approving a Tax Increment Financing (TIF) Redevelopment Agreement with Turner Park North, LLC a Nebraska Limited Liability Company, to implement the Ryan J. Barry Tax Increment Financing Redevelopment Project Plan for the rehabilitation and conversion of the three Clarinda Page apartment buildings into 21 condominium units located at 3027 Farnam Street, 305 Turner Boulevard and 311 Turner Boulevard – [see attached](#).

CCID # 1453 – Publication to be made and public hearing to be held on November 25, 2014 as per City Charter requirements.

91. Ord. to establish pursuant to Section 40-251 of the Omaha Municipal Code a new Class “A” Flammable Liquids Storage District, to be known as District No. A-150, at 12902 Millard Airport Plaza aka 6161 South 132nd Street, as requested by the Omaha Airport Authority; and to provide the effective date hereof – [see attached](#).

CCID # 1454 – Publication to be made and public hearing to be held on November 25, 2014 as per City Charter requirements.

92. Ord. providing for the transfer of Non-Exclusive Permanent and Temporary Construction Easements to Metropolitan Utilities District (MUD), located in North Market Square in the City of Florence, now an addition to the City of Omaha; located in part of the Southeast Quarter (SE1/4) of Section Twenty-one (21), Township Sixteen (16) North, Range Thirteen (13) East of the 6th P.M., Douglas County, Nebraska; to authorize the Mayor to execute the attached permanent and temporary construction easements; and to provide an effective date thereof – [see attached](#).

CCID # 1431 – Publication to be made and public hearing to be held on November 25, 2014 as per City Charter requirements.

93. Ord. approving the contract by and between the City of Omaha, a municipal corporation in Douglas County, Nebraska, and Medical Enterprises, Inc., a Nebraska Corporation, with a place of business at 10404 Essex Court, Omaha, Nebraska 68114, for drug and alcohol testing of City employees and prospective employees as required by the Department of Transportation and all other employees and prospective employees under the City of Omaha Alcohol and Drug Policy and Procedures involving the payment of money from appropriations of more than one (1) year as provided in section 5.17 of the Home Rule Charter of the City of Omaha, 1956, as amended for a period of three (3) years with the extension of the contract for two (2) additional one-year periods upon the City's option; the contract contemplates that the cost of Department of Transportation five-panel drug screens, non-Department of Transportation five-panel drug screens, and non-Department of Transportation nine-panel drug screens being twenty-two dollars (\$22) per screen plus other costs as itemized in the contract; to provide funds from Human Resources Department, Fund 11111, Organization 105011; and to provide effective date hereof – [see attached](#).

CCID # 1455 – Publication to be made and public hearing to be held on November 25, 2014 as per City Charter requirements.

94. Ord. to approve a contract between the City of Omaha and the Elkhorn Public Schools for the City to provide, through its assignment, one Associate School Resource Officer and a marked police cruiser, subject to the availability of such cruiser and Elkhorn's needs, to the premises of Elkhorn High School, located at 711 Veterans Drive, involving appropriations of more than one fiscal year in conformity with Section 5.17 of the Home Rule Charter, to perform police work at the District property twenty (20) hours per week while school is in session during the regular school year, from August 11, 2014 and ending at the close of the 2014 - 2015 school year. The reimbursement payment from the Elkhorn Public Schools to the City will be in the amount of \$28.50 per hour for the officer, not to exceed \$22,353.00; and to provide for an effective date hereof – [see attached](#).

CCID # 1432 – Publication to be made and public hearing to be held on November 25, 2014 as per City Charter requirements.

95. Ord. (1) to approve Agreements between the City of Omaha and the Douglas County Board of Commissioners for the (a) Douglas County Attorney's Office in the amount of thirty nine thousand eight hundred and thirty three dollars (\$39,833); (b) Douglas County Sheriff's Office in the amount of thirty eight thousand three hundred and thirty three dollars (\$38,333); (c) Fourth Judicial District Court of Nebraska in the amount of twenty eight thousand three hundred and thirty four dollars (\$28,334); (d) Douglas County Department of Corrections in the amount of thirty five thousand four hundred and fifty two dollars (\$35,452); and (e) Douglas County Public Defender's Office in the amount of fifty five thousand dollars (\$55,000); and (2) to authorize funding for such agreements from the City of Omaha's FY 2014 Edward Byrne Memorial Justice Assistance Grant Program, #2014-DJ-BX-0891, awarded by the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance; to provide funding for security improvements, technology improvements, a litigation support manager position, and an immigration attorney position; to authorize payment from such grant funding and involving appropriations of more than one year in conformity with Section 5.17 of the Home Rule Charter; and, providing for the effective date hereof – [see attached](#).

CCID # 1456 – Publication to be made and public hearing to be held on November 25, 2014 as per City Charter requirements.

96. Ord. (1) to approve an agreement between the City of Omaha and Alice Aguilera in the amount of thirty seven thousand seven hundred dollars (\$37,700); and (2) to authorize funding for such agreement from the City of Omaha's FY 2014 Violent Gang and Gun Crime Reduction Program (Project Safe Neighborhoods): Category 3, grant award #2014-GP-BX-0010, awarded by the U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), Bureau of Justice Assistance (BJA); to provide funding for the position of Project Safe Neighborhoods Firearms Clerk; involving appropriations of more than one year in conformity with Section 5.17 of the Home Rule Charter; providing for payment from a specific account; and, providing for the effective date hereof – [see attached](#).

CCID # 1457 – Publication to be made and public hearing to be held on November 25, 2014 as per City Charter requirements.

97. Ord. to approve the acceptance of and authorize the disbursement from two grant agreements totaling \$505,000 from the Robert B. Daugherty Foundation. The Zoll Automated External Defibrillator (AED) grant agreement is in the amount of fifty nine thousand dollars (\$59,000); and the Zoll X Series Cardiac Monitors grant agreement in the amount of four hundred and forty six thousand dollars (\$446,000); to provide funding for the purchase of thirty three (33) Zoll AEDs and eighteen (18) Zoll X Series Cardiac Monitors to be used by the Omaha Fire Department (OFD) Emergency Medical Services (EMS), the Omaha Police Department (OPD), and the Parks, Recreation, and Public Property Department; to authorize payment from such grant funding and involving appropriations of more than one year in conformity with Section 5.17 of the Home Rule Charter; and, providing for the effective date hereof – [see attached](#).

CCID # 1458 – Publication to be made and public hearing to be held on November 25, 2014 as per City Charter requirements.

98. Ord. (1) to approve an agreement between the City of Omaha and the Nebraska State Patrol (NSP) in the amount of five thousand four hundred and forty five dollars (\$5,445); and (2) to authorize funding for such agreement from the City of Omaha’s FY 2014 Violent Gang and Gun Crime Reduction Program (Project Safe Neighborhoods): Category 3, grant award #2014-GP-BX-0010, awarded by the U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), Bureau of Justice Assistance (BJA); to provide funding for crime lab follow-up investigative work, 2015 Association of Firearm and Toolmark Examiners (AFTE) Training Seminar attendance, and procurement of specialized crime lab equipment; involving appropriations of more than one year in conformity with Section 5.17 of the Home Rule Charter; providing for payment from a specific account; and, providing for the effective date hereof – [see attached](#).

CCID # 1459 – Publication to be made and public hearing to be held on November 25, 2014 as per City Charter requirements.

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EXECUTIVE SESSION

99. Motion to go into Executive Session for the purpose of discussing labor negotiations, personnel matters and litigation.

Motion by Jerram that the meeting be adjourned
Seconded by Gray

ROLL CALL:

Yeas Thompson, Gernandt, Gray, Jerram, Melton, Pahls, Mr. President

Motion Carried 7-0

ADJOURNED: 3:55 P.M.

I, BUSTER BROWN, CITY CLERK OF THE CITY OF OMAHA, do hereby certify that the foregoing is a true and correct copy of the proceedings of the Meeting of the City Council of the City of Omaha held on November 18th, 2014.

WITNESS:

CITY CLERK

THE PROCEEDINGS OF THIS MEETING WERE PRESENTED TO MAYOR JEAN STOTHERT ON THE 20TH DAY OF NOVEMBER, 2014.