



JOURNAL RECORD

CITY OF OMAHA

CITY COUNCIL MEETING

TUESDAY, MAY 1, 2018

@ 2:00 PM

**LEGISLATIVE CHAMBERS,
1819 FARNAM STREET
OMAHA, NEBRASKA**

OMAHA CITY COUNCILMEMBERS

Ben Gray – Council President	District 2
Chris Jerram – Council Vice President	District 3
Pete Festersen	District 1
Vinny Palermo	District 4
Rich Pahls	District 5
Brinker Harding	District 6
Aimee Melton	District 7

THE CITY COUNCIL OF THE CITY OF OMAHA met in open session on Tuesday, May 1, 2018 at 2:00 PM in the Legislative Chambers, Omaha/Douglas Civic Center, Omaha, Nebraska and was called to Order by Council President Ben Gray.

CALL TO ORDER

City Clerk Elizabeth Butler took the Roll Call: Present were Councilmembers Harding, Jerram, Melton, Pahls, Palermo, Festersen, Mr. President (Gray) – **CCID # 408.**

Council President Ben Gray led those present in the Pledge of Allegiance.

Council President Ben Gray of District No. 2 provided the Invocation.

CERTIFICATION OF PUBLICATION – NOTIFICATION OF OPEN MEETING ACT

City Clerk Elizabeth Butler certified publication in the Daily Record, the Official Newspaper of the City of Omaha, on April 27, 2018, notice of the Pre-Council and Regular City Council Meetings, May 1, 2018 – **CCID # 409.**

Ms. Butler stated that a current copy of the Open Meeting Act is posted in a white binder on the east wall of the Legislative Chambers.

PRESENTATIONS AND PROCLAMATIONS

None

LIQUOR

6. RES. 412 – Class “C” Liquor License Application – Taco Co., dba “Taco Co.”, 6108 Maple Street. (This is a new application for a new location). Notice was posted on the property on 04/18/18; Notification was sent to property owners within 500 feet on 04/20/18 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

Council President Gray opened the Public Hearing on Item 6.

The following person(s) appeared and spoke:

PROPOSERS:

Michael Sanchez, 7903 Heritage Circle

No one else came forward, and the public hearing was closed.

MOTION by Festersen, SECOND by Harding that RESOLUTION # 412 be approved

ROLL CALL:

Yeas: Harding, Jerram, Melton, Pahls, Palermo, Festersen, Mr. President

Nays: None

MOTION APPROVED 7-0

City Clerk Elizabeth Butler stated that Items 7 and 8 would be considered together.

7. RES. 413 – Class “D” Liquor License Application – White Oak Station, LLC, dba “White Oak Station #78”, 8242 Maple Street. (This is a new application for an old location). Present licensee is Kum & Go, LLC, dba “Kum & Go #377”, who has a Class “D” Liquor License – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
8. RES. 414 – Class “D” Liquor License Application – White Oak Station, LLC, dba “White Oak Station #81”, 720 North 108th Avenue. (This is a new application for an old location). Present licensee is Kum & Go, LLC, dba “Kum & Go #371”, who has a Class “D” Liquor License – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

Council President Gray opened the Public Hearing on Items 7 and 8.

The following person(s) appeared and spoke:

PROPOSERS:

Ryan Schildt, 4911 North 114th Street
Santino Oteri, 4911 North 114th Street

No one else came forward, and the public hearing was closed.

MOTION by Festersen, SECOND by Gray that RESOLUTIONS # 413 and # 414 be approved

ROLL CALL:

Yeas: Harding, Jerram, Melton, Pahls, Palermo, Festersen, Mr. President

Nays: None

MOTION APPROVED 7-0

9. RES. 415 – ANS, Inc., dba “13th Street Brickhouse”, 2202 South 13th Street, requests permission for a Special Designated License for a birthday party on May 19, 2018 from 7:00 p.m. to 12:00 a.m. with music until 12:00 a.m. – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

Council President Gray opened the Public Hearing on Item 9.

The following person(s) appeared and spoke:

PROPOSERS:

Barb Crum, 4910 South 30th Street

No one else came forward, and the public hearing was closed.

MOTION by Palermo, SECOND by Jerram that RESOLUTION # 415 be approved

ROLL CALL:

Yeas: Harding, Jerram, Melton, Pahls, Palermo, Festersen, Mr. President

Nays: None

MOTION APPROVED 7-0

CONSENT AGENDA

City Clerk Elizabeth Butler stated that any member of the City Council may cause any item placed on the Consent Agenda to be removed. 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 provided by the City Council Rules of Order.

Council President Gray announced that the public hearings on Agenda Items 10 through 14 were held on April 24, 2018.

(Required notices of the public hearings were published in the Daily Record on April 20, 2018.)

CONSENT AGENDA – ORDINANCES

10. ORD. 41465 – An ordinance approving a redevelopment and tax increment financing loan agreement between the City of Omaha and Howard Street Landmark LLC to implement the Scott Tent and Awning Company Tax Increment Financing (TIF) Redevelopment Project Plan which is for a redevelopment site located at 1501 Howard Street, and proposes a comprehensive rehabilitation of the 26,136 square foot building constructed in 1893 as a carriage factory; the agreement authorizes the use of up to \$572,659.00, plus accrued interest, in excess ad valorem taxes (TIF) generated by the development to help fund the cost of the project – (First Reading April 17, 2018; Second Reading and Public Hearing April 24, 2018; Third Reading May 1, 2018) – [see attached](#).
11. ORD. 41466 – An ordinance to establish pursuant to Section 40-251 of the Omaha Municipal Code a new Class “B” Flammable Liquids Storage District to be known as District No. B-200 at 2929 California Street, as requested by Todd Heistand for 2929 California Plaza, LLC – (First Reading April 17, 2018; Second Reading and Public Hearing April 24, 2018; Third Reading May 1, 2018) – [see attached](#).
12. ORD. 41467 – An ordinance to establish pursuant to Section 40-251 of the Omaha Municipal Code a new Class “B” Flammable Liquids Storage District to be known as District No. B-201 at 6262 Lindbergh Drive, as requested by Patrick J. Wonder of Nebraska Plumbing – (First Reading April 17, 2018; Second Reading and Public Hearing April 24, 2018; Third Reading May 1, 2018) – [see attached](#).
13. ORD. 41468 – An ordinance to establish pursuant to Section 40-251 of the Omaha Municipal Code a new Class “B” Flammable Liquids Storage District to be known as District No. B-202 at 4228 South 72nd Street, as requested by Mitch Cadlo of Nash Finch Company for 4228 South 72nd Street, LLC – (First Reading April 17, 2018; Second Reading and Public Hearing April 24, 2018; Third Reading May 1, 2018) – [see attached](#).

14. ORD. 41469 – An ordinance to add Section 2-72 to expand the ability of the Mayor to pardon a person convicted of an offense under any section of the Omaha Municipal Code; to repeal Section 20-2 of the Omaha Municipal Code which limited such pardon right to those offenses in Chapter 20 – (First Reading April 17, 2018; Second Reading and Public Hearing April 24, 2018; Third Reading May 1, 2018) – [see attached](#).
 - A. Communication in support – [see attached](#).
 - B. Communication in opposition – [see attached](#).

MOTION by Festersen, SECOND by Harding that the CONSENT AGENDA – ORDINANCES be approved

Item # 10 ORDINANCE # 41465; Item # 11 ORDINANCE # 41466
Item # 12 ORDINANCE # 41467; Item # 13 ORDINANCE # 41468; and,
Item # 14 ORDINANCE # 41469

ROLL CALL:

Yeas: Harding, Jerram, Melton, Pahls, Palermo, Festersen, Mr. President
Nays: None

MOTION APPROVED 7-0

Council President Gray announced that the public hearings on Agenda Items 15 through 35 were today. He asked that anyone that wished to address the City Council regarding these items please come to the microphone, indicate the Agenda Item Number being addressed, and to state their name, address, who they represent, and if they were speaking as a proponent or opponent.

COUNCIL PRESIDENT GRAY STATED THAT AGENDA ITEM 18 WAS REMOVED FROM THE CONSENT AGENDA

CONSENT AGENDA – RESOLUTIONS

15. RES. 416 – Res. that, as recommended by the Mayor, the contract with Bayshore Contractors, LLC for OPW 53303, in the amount of \$954,904.92, being the 2018 Major Street Curb Ramp Construction, Various Locations, is hereby approved. (The Finance Department is authorized to pay the cost of \$954,904.92 from the 2014 Transportation Bond Fund 13184, Transportation Bonds Organization 117117, year 2018 expenditure.) – [see attached](#).
16. RES. 417 – Res. that, as recommended by the Mayor, the Purchasing Agent is authorized to issue a Purchase Order to Leigh Environmental Equipment, Inc. in the total amount of \$29,509.00 for one (1) hidrostal immersible dewatering pump with a 30hp motor to be utilized by the Water Resource Recovery Facility Division. (The Finance Department is authorized to pay the cost of this equipment from the Sewer Revenue Fund 21121, Missouri Treatment Plant Main Organization 116613, year 2018 expenditure.) – [see attached](#).

17. RES. 418 – Res. that, as recommended by the Mayor, the Professional Services Agreement with Alfred Benesch & Co. to provide professional services on OPW 53304, in the amount of \$847,030.00, being the 2018 Residential Street Curb Ramp Construction, Various Locations Project, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$847,030.00, from the 2014 Transportation Bond Fund 13184, Transportation Bonds Organization 117117, year 2018 expenditure.) – [see attached](#).
18. RES. 419 – Res. that, as recommended by the Mayor, the Professional Services Agreement with Lamp, Rynearson & Associates, Inc. to provide professional services on OPW 52281, in the amount of \$466,462.00, being the 78th Street Improvements Project, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$466,462.00, from the 2014 Transportation Bond Fund 13184, Transportation Bonds Organization 117117, year 2018 expenditure.) – [see attached](#). **(REMOVED FROM CONSENT AGENDA)**
19. RES. 420 – Res. that, as recommended by the Mayor, the Professional Services Agreement with Olsson Associates to provide professional services on OPW 52884, in the amount of \$546,300.00, being the Crown Point - 72nd to Blair High Road Project, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$546,300.00, from the 2014 Transportation Bond Fund 13184, Transportation Bonds Organization 117117, year 2018 expenditure.) – [see attached](#).
20. RES. 422 – Res. that, Amendment No. 1 to the Subdivision Agreement among the City of Omaha, FRK Development, LLC, The Indian Pointe Homeowner's Association, a Nebraska non-profit corporation, Sanitary and Improvement District No. 559 of Douglas County, Nebraska, as recommended by the Mayor, is hereby approved. The Subdivision is to be known as Indian Pointe (Lots 267-394 and Outlots L-M) and is located northeast of 192nd and Sahler Streets – [see attached](#).
21. RES. 435 – Res. that, the City Clerk is hereby authorized and directed to publish the Petition for improvement of Nicholas Street, from North 87th Street to its terminus, within Street Improvement District No. 6884, to publish notice of the right to protest the said Petition and the said improvement, and to mail the said notice to record owners of taxable property within the said District, all as provided in the Resolution – [see attached](#).
22. RES. 436 – Res. that, 50% of the estimated total costs of improvements for Road Maintenance District No. 745-29, in an amount not to exceed \$54,190.08, shall be paid by the City of Omaha from the 2014 Transportation Fund 13184, Transportation Bonds Organization 117117. (The remaining costs of improvements for RMD #745-29 be specially assessed upon the properties within RMD #745-29 and paid through the Capital Special Assessments Fund 13573, Special Assessments Organization 116168.) – [see attached](#).
23. RES. 437 – Res. that, 50% of the estimated total costs of improvements for Road Maintenance District No. 745-30, in an amount not to exceed \$90,720.00, shall be paid by the City of Omaha from the 2014 Transportation Fund 13184, Transportation Bonds Organization 117117. (The remaining costs of improvements for RMD #745-30 be specially assessed upon the properties within RMD #745-30 and paid through the Capital Special Assessments Fund 13573, Special Assessments Organization 116168.) – [see attached](#).

24. RES. 398 – Res. that, the Omaha-Council Bluffs Consortium Consolidated Submission for Community Planning and Development Programs - 2018 Action Plan is hereby approved. Be it further resolved, that, upon receipt from the U.S. Department of Housing and Urban Development, the Mayor is authorized to execute the Funding Approval/Agreements for the Fiscal Year 2018 Community Development Block Grant, HOME Investment Partnerships and Emergency Shelter Grant Programs – [see attached](#). **(POSTPONED FROM THE APRIL 24, 2018 CITY COUNCIL MEETING)**
25. RES. 423 – Res. that, the Agreement, as recommended by the Mayor, between the City of Omaha and the League of Human Dignity, Inc., 5513 Center Street, Omaha, Nebraska 68106, in the amount of \$50,000.00 in FY 2017 funds for barrier removal services for ten (10) housing units within the city limits of the City of Omaha for the period from January 1, 2018 through March 31, 2019, is hereby approved. (Funds shall be paid from the Community Development Block Grant, Fund No. 12186, and Organization No. 128072.) – [see attached](#).
26. RES. 424 – Res. that, the Deferred Payment Loan, as recommended by the Mayor, to provide funding in the amount of \$24,500.00 for the rehabilitation and lead removal work to the property located at 2527 South 10th Street, Omaha, Nebraska, 68108, owned by Bastillion Development LLC, 2626 Dewey Avenue, Unit 25, Omaha, Nebraska, 68105, is hereby approved. (Funds in the amount of \$24,500.00 shall be paid as follows: FY 2017 HOME Rental Rehabilitation Program funds in the amount of \$25,500.00, Organization No. 128071, Fund No 12179.) – [see attached](#).
27. RES. 425 – Res. that, the Deferred Payment Loan, as recommended by the Mayor, to provide funding in the amount of \$25,500.00 for the rehabilitation and lead removal work to the property located at 5051 Pinkney Street, Omaha, Nebraska, 68104, owned by Brisco Investments LLC, 5339 North 60th Street, Omaha, Nebraska, 68104, is hereby approved. (Funds in the amount of \$25,500.00 shall be paid as follows: FY 2017 HOME Rental Rehabilitation Program funds in the amount of \$25,500.00, Organization No. 128071, Fund No. 12179.) – [see attached](#).
28. RES. 426 – Res. that, the Deferred Payment Loan, as recommended by the Mayor, to provide funding in the amount of \$24,500.00 for the rehabilitation and lead removal work to the property located at 5920 North 33rd Avenue, Omaha, Nebraska, 68111, owned by KRBP Properties LLC, 1433 North 160th Avenue, Omaha, Nebraska, 68118, is hereby approved. (Funds in the amount of \$24,500.00 shall be paid as follows: FY 2017 HOME Rental Rehabilitation Program funds in the amount of \$24,500.00, Organization No. 128071, fund No 12179.) – [see attached](#).
29. RES. 428 – Res. that, as recommended by the Mayor, the purchase based upon the quote from Motorola Solutions, Inc. in the amount of \$28,469.40 for four (4) APX6000 portable radios and companion equipment, and one (1) APX6500 mobile radio and companion equipment, which represents Nebraska State Contract bid pricing, having been determined to be the best available current price for the mobile radios, is hereby approved. (The Finance Department of the City of Omaha is authorized to pay \$28,469.40 for the mobile radios from the Omaha Police Department, Year 2018, General Fund 11111, Organization 113141 Fleet and Facilities, Account 44117 Radio Communication Equipment.) – [see attached](#).

30. RES. 429 – Res. that, as recommended by the Mayor, the bid of Jones Automotive, Inc. in the amount of \$1,314,690.80, which represents the cost for equipment and installation for 40 Ford Explorer Police Utility Vehicles (PUVs) for the Omaha Police Department, being the only bid received, which is incorporated herein by this reference, is hereby accepted. (The Finance Department of the City of Omaha is authorized to pay the cost of the equipment and installation for 40 Ford Explorer PUVs for the Omaha Police Department in the amount of \$1,314,690.80 from Year 2018, General Fund 11111, Organization 113141 Fleet/Facilities, Account 44234 Cars/Small Trucks/Vans.) – [see attached](#).
31. RES. 430 – Res. that, the reappointment by Mayor Stothert of Jesse A. Sullivan as a member of the Library Board to serve a three-year term, commencing July 1, 2018 and expiring June 30, 2021, be and hereby is confirmed and approved – [see attached](#).
32. RES. 431 – Res. that, the reappointment by Mayor Stothert of Adrian Suarez-Delgado as a member of the Library Board to serve a three-year term, commencing on July 1, 2018, and expiring June 30, 2021, be and hereby is confirmed and approved – [see attached](#).
33. RES. 432 – Res. that, the reappointment by Mayor Stothert of Cecelia Creighton as a member of the Library Board to serve a 3-year term, commencing on July 1, 2018 and expiring on June 30, 2021, be and hereby is confirmed and approved – [see attached](#).
34. RES. 433 – Res. that, the reappointment by Mayor Stothert of Jaime Suarez Delgado as a lay member of the Landmarks Heritage Preservation Commission, to serve a three-year term commencing on May 4, 2018, and expiring on May 3, 2021, be and hereby is confirmed and approved – [see attached](#).
35. RES. 434 – Res. that, the reappointment by Mayor Stothert of Curtis Witzenburg to serve a three-year term as a qualities person from an architectural organization, to the Landmarks Heritage Preservation Commission, to serve a term that will commence on December 11, 2018, and expire on December 10, 2021 be and hereby is hereby confirmed and approved – [see attached](#).

Council President Gray opened the Public Hearing on Items 15 through 17 and 19 through 35.

No one came forward, and the public hearing was closed.

MOTION by Jerram, SECOND by Festersen that the CONSENT AGENDA – RESOLUTIONS be approved

Item # 15 RESOLUTION # 416;
 Item # 17 RESOLUTION # 418;
 Item # 20 RESOLUTION # 422;
 Item # 22 RESOLUTION # 436;
 Item # 24 RESOLUTION # 398;
 Item # 26 RESOLUTION # 424;
 Item # 28 RESOLUTION # 426;
 Item # 30 RESOLUTION # 429;
 Item # 32 RESOLUTION # 431;
 Item # 34 RESOLUTION # 433; and

Item # 16 RESOLUTION # 417;
 Item # 19 RESOLUTION # 420;
 Item # 21 RESOLUTION # 435;
 Item # 23 RESOLUTION # 437;
 Item # 25 RESOLUTION # 423;
 Item # 27 RESOLUTION # 425;
 Item # 29 RESOLUTION # 428;
 Item # 31 RESOLUTION # 430;
 Item # 33 RESOLUTION # 432;
 Item # 35 RESOLUTION # 434

ROLL CALL:

Yeas: Harding, Jerram, Melton, Pahls, Palermo, Festersen, Mr. President

Nays: None

MOTION APPROVED 7-0

18. RES. 419 – Res. that, as recommended by the Mayor, the Professional Services Agreement with Lamp, Rynearson & Associates, Inc. to provide professional services on OPW 52281, in the amount of \$466,462.00, being the 78th Street Improvements Project, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$466,462.00, from the 2014 Transportation Bond Fund 13184, Transportation Bonds Organization 117117, year 2018 expenditure.) – [see attached](#).

Council President Gray opened the Public Hearing on Item 18.

No one came forward, and the public hearing was closed.

MOTION by Jerram, SECOND by Harding that RESOLUTION # 419 be approved

ROLL CALL:

Yeas: Harding, Jerram, Melton, Pahls, Palermo, Mr. President

Nays: None

Pass: Festersen

(Councilmember Festersen passed twice due to potential conflict of interest.)

MOTION APPROVED 6-0-1

ORDINANCES ON SECOND READING

36. ORD. 41470 – An ordinance approving an Agreement for the sale of City-owned real property; to provide that notwithstanding any provisions of the Omaha Municipal Code to the contrary, the City is authorized to enter into the Real Estate Purchase Agreement with Ora Prince, 3724 North 36th Street, Omaha, NE 68111, to convey the property described in the agreement, located at 3732 North 36th Street and the north 20 feet of 3728 North 36th Street, in consideration of the sum of \$700.00; there are no expenses associated with the transfer of the property to Ora Prince – (First Reading April 24, 2018; Second Reading and Public Hearing May 1, 2018; Third Reading May 8, 2018) – [see attached](#). **(PUBLIC HEARING TODAY)**

Council President Gray opened the Public Hearing on Item 36.

No one came forward, and the public hearing was closed.

37. ORD. 41471 – An ordinance to approve an Agreement between the City of Omaha and Omaha Public Schools for the City to provide, through its assignment, up to eleven Associate School Resource Officers and marked police cruisers, subject to the availability of such cruisers and the School District’s needs, to specifically designated locations, involving appropriations of more than one fiscal year in conformity with Section 5.17 of the Home Rule Charter, to perform police work within the District with each Associate School Resource Officer working no more than 28 hours per week while school is in session during the regular school year, from the first day of the semester of August, 2017 and ending on July 31, 2019; reimbursement from the Omaha Public Schools to the City will be in the amount of \$31.00 per hour for each officer for the 2017-2018 school year, and \$35.00 per hour for each officer for the 2018-2019 school year – (First Reading April 24, 2018; Second Reading and Public Hearing May 1, 2018; Third Reading May 8, 2018) – [see attached](#). **(PUBLIC HEARING TODAY)**

Council President Gray opened the Public Hearing on Item 37.

The following person(s) appeared and spoke:

FOR THE CITY:

Lt. Vivian Buckley, Omaha Police Department

No one came else forward, and the public hearing was closed.

COUNCILMEMBER JERRAM LEFT THE LEGISLATIVE CHAMBERS AT 3:26 P.M.

38. ORD. 41472 – An ordinance to amend Sections 30-21, 30-22, 30-23, 30-25, 30-26; 30-31; 30-32; 30-34; to add new Section 30-36; of the Omaha Municipal Code; to amend the system whereby the Police Department can track stolen goods and to regulate second-hand dealers in order to reduce theft of certain items – (First Reading April 24, 2018; Second Reading and Public Hearing May 1, 2018; Third Reading May 8, 2018) – [see attached](#). **(PUBLIC HEARING TODAY)**

- A. Communications in opposition – [see attached](#).

Council President Gray opened the Public Hearing on Item 38.

The following person(s) appeared and spoke:

PROPONENTS:

John Dineen, Sol’s Jewelry and Loan, 2505 South 120th Street

OPPONENTS:

Sean Moore, Borsheims, 120 Regency Parkway

Erin Limas, Borsheims, 120 Regency Parkway

Mark Schmelzer, Mark Edward Private Jeweler, 10525 Pacific Street

Chuck Fortina, Rockbrook Camera, 2909 South 169th Plaza

Samantha Bergmann, Gunderson’s Jewelers, 17255 Davenport Street

Richard Messina, Play It Again Sports, 8453 West Center Road

Dave Peter, Coinhuskers, 10813 Elm Street

Tom Reuben, 2616 North 145th Avenue

Dina Azimova, 15643 Rosewood Street #6

FOR THE CITY:

Chief Todd Schmaderer, Omaha Police Department
Lt. Mark Desler, Omaha Police Department
Michelle Peters, Deputy City Attorney
Sgt. Tina Jennum, Omaha Police Department

No one else came forward, and the public hearing was closed.

MOTION by Festersen, SECOND by Palermo that the third reading and vote for ORDINANCE #41472 be postponed to the May 22, 2018 City Council meeting

ROLL CALL:

Yeas: Harding, Melton, Pahls, Palermo, Festersen, Mr. President

Nays: None

Absent: Jerram

MOTION APPROVED 6-0

2017 TAX INCREMENT FINANCING (TIF) ANNUAL REPORT

39. RES. 427 – Res. that, the 2017 Tax Increment Financing (TIF) Annual Report for the City of Omaha, as recommended by the City Planning Department, is hereby accepted – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

Council President Ben Gray opened the Public Hearing on Item 39.

The following person(s) appeared and spoke:

FOR THE CITY:

Bridget Hadley, Planning Department

No one else came forward, and the public hearing was closed.

MOTION by Melton, SECOND by Harding that RESOLUTION # 427 be approved

ROLL CALL:

Yeas: Harding, Melton, Pahls, Palermo, Festersen, Mr. President

Nays: None

Absent: Jerram

MOTION APPROVED 6-0

NON-ACTION ITEMS

City Clerk Elizabeth Butler announced that Items 40 through 55 do not require a public hearing or City Council consideration at the present meeting, but will be placed on a future agenda for a public hearing and City Council consideration. The reason for non-action is noted after the item on the agenda as well as the date the item is expected to appear on an agenda for City Council consideration.

THE LANDING

40. ORD. 41485 – An ordinance to amend the boundaries of the ACI-1(PL)-Area of Civic Importance Overlay District, to incorporate into that district the property located southeast of 30th and Burt Streets – (First Reading May 1, 2018; **Second Reading May 8, 2018**; Third Reading, Public Hearing and Vote May 15, 2018) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
41. RES. 410 – Res. that, the Final Plat transmitted herewith entitled The Landing, located southeast of 30th and Burt Streets, is hereby approved, and concurrently a portion of the existing plats entitled Hillside Addition Number 2, Avondale Park, Sunnyside and Drake's Addition, and described on said replat, are hereby vacated. The applicant is 2929 California Plaza, LLC – Inside City Limits – [see attached](#). **(LAID OVER TO THE MAY 15, 2018 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 40)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
42. RES. 411 – Res. that, the Special Use Permit application submitted by 2929 California Plaza, LLC, for a Large Project Special Use Permit in a GO-General Office District for property southeast of 30th and Burt Streets, Omaha, Nebraska, is hereby approved. (The Permits and Inspection Division is directed to issue the necessary permit therefor, provided the conditions set out in Exhibit "A" of the referenced application, conditions set out in Exhibit "B", and all applicable local or state statutes, ordinances or regulations are complied with. 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.) – [see attached](#). **(LAID OVER TO THE MAY 15, 2018 CITY COUNCIL MEETING TO NOTIFY SURROUNDING PROPERTY OWNERS, ADVERTISE FOR PUBLIC HEARING, AND TO COINCIDE WITH ITEM 40)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
43. RES. 421 – Res. that, the Subdivision Agreement between the City of Omaha and 2929 California Plaza, LLC, as recommended by the Mayor, providing for the reimbursement for certain public improvements to the benefit of the City, is hereby approved. The Subdivision is to be known as The Landing (Lots 1-5 and Outlot A) and is southeast of 30th and Burt Streets. (The City shall reimburse 2929 California Plaza, LLC, a Nebraska corporation, for the cost of the improvements, not to exceed \$1,160,000.00, from the RNC Fund, Organization 116912, Fund 21124.) – [see attached](#). **(LAID OVER TO THE MAY 15, 2018 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 40)**

PLANNING ORDINANCES ON FIRST READING WITH PLANNING BOARD ATTACHMENTS

44. ORD. 41474 – An ordinance to rezone the property located at 1217 Pacific Street from HI-Heavy Industrial District to NBD-Neighborhood Business District (property is also located within an existing ACI-1 Overlay District) – (First Reading May 1, 2018; **Second Reading May 8, 2018**; Third Reading, Public Hearing and Vote May 15, 2018) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).

45. ORD. 41476 – An ordinance to approve a PUR-Planned Unit Redevelopment Overlay District in an R6-Low Density Multiple Family Residential District, located at 1514 William Street, to approve the Development Plan – (First Reading May 1, 2018; **Second Reading May 8, 2018**; Third Reading, Public Hearing and Vote May 15, 2018) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
46. ORD. 41475 – An ordinance to rezone the property located at 1514 William Street from GI-General Industrial District to R6-Low Density Multiple Family Residential District – (First Reading May 1, 2018; **Second Reading May 8, 2018**; Third Reading, Public Hearing and Vote May 15, 2018) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
47. ORD. 41477 – An ordinance to rezone the property located southwest and southeast of 22nd Street and Willis Avenue from R4-Single Family Residential District (high density) and GC-General Commercial District to R4 District – (First Reading May 1, 2018; **Second Reading May 8, 2018**; Third Reading, Public Hearing and Vote May 15, 2018) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
48. ORD. 41478 – An ordinance to rezone the properties located at 4524 and 4602 Farnam Street from GI-General Industrial District to CC-Community Commercial District (properties are also located within an existing ACI-2 Overlay District) – (First Reading May 1, 2018; **Second Reading May 8, 2018**; Third Reading, Public Hearing and Vote May 15, 2018) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
49. ORD. 41479 – An ordinance to rezone the property located northwest of 11th and Leavenworth Streets from DS-Downtown Services District to CBD-Central Business District (property is also located within an ACI-Area of Civic Importance) – (First Reading May 1, 2018; **Second Reading May 8, 2018**; Third Reading, Public Hearing and Vote May 15, 2018) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
50. ORD. 41480 – An ordinance to rezone the properties located at 3924 and 3926 Harney Street from GC-General Commercial District to NBD-Neighborhood Business District (properties are also located within an existing ACI-1 Overlay District) – (First Reading May 1, 2018; **Second Reading May 8, 2018**; Third Reading, Public Hearing and Vote May 15, 2018) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).

51. ORD. 41481 – An ordinance to rezone the property located at 4911 Underwood Avenue from R8-High-Density Multiple-Family Residential District to NBD-Neighborhood Business District (property is located in a NCE Overlay District) – (First Reading May 1, 2018; **Second Reading May 8, 2018**; Third Reading, Public Hearing and Vote May 15, 2018) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
52. ORD. 41482 – An ordinance to rezone the property located northeast of 212th and Harney Streets from R1-Single-Family Residential District (Large Lot) to R3-Single-Family Residential District (Medium-Density) – (First Reading May 1, 2018; **Second Reading May 8, 2018**; Third Reading, Public Hearing and Vote May 15, 2018) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
53. ORD. 41483 – An ordinance to rezone the property located southeast of 147th and F Streets from LO-Limited Office District and CC-Community Commercial District to CC-Community Commercial District (portions of the property are located in the FF-Flood Fringe Overlay District) – (First Reading May 1, 2018; **Second Reading May 8, 2018**; **Third Reading**, Public Hearing and Vote May 15, 2018) – [see attached](#).
54. ORD. 41484 – An ordinance to rezone the property located southeast of 147th and F Streets from R6-Low-Density Multiple-Family Residential District and LO-Limited Office District to R6-Low-Density Multiple-Family Residential District (portions of the property are located in the FF-Flood Fringe Overlay District) – (First Reading May 1, 2018; **Second Reading May 8, 2018**; Third Reading, Public Hearing and Vote May 15, 2018) [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).

ORDINANCE ON FIRST READING

55. ORD. 41473 – An ordinance to designate the Grand Theatre Building located southwest of 16th and Binney Streets as a landmark pursuant to the Landmark Heritage Preservation Ordinance of the City of Omaha – (First Reading May 1, 2018; **Second Reading and Public Hearing May 8, 2018**; Third Reading May 15, 2018) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).

EXECUTIVE SESSION

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

ADJOURNMENT:

MOTION by Palermo, SECOND by Melton that the meeting be adjourned

ROLL CALL:

Yeas: Harding, Melton, Pahls, Palermo, Festersen, Mr. President

Nays: None

Absent: Jerram

MOTION APPROVED 6-0

MEETING ADJOURNED AT: 3:53 P.M.

I, ELIZABETH BUTLER, 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 May 1, 2018.

WITNESS:

s/Talia Smith

Talia Smith, Senior Administrative Clerk

CITY CLERK:

s/Elizabeth Butler

Elizabeth Butler