



JOURNAL RECORD

CITY OF OMAHA

CITY COUNCIL MEETING

TUESDAY, JUNE 12, 2018

@ 2:00 P.M.

**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, June 12, 2018 at 2:00 P.M. 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 # 545**.

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

Councilmember Aimee Melton of District No. 7 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 June 8, 2018, notice of the Pre-Council and Regular City Council Meetings, June 12, 2018 – **CCID # 546**.

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

Proclamation read for the Women’s Fund of Omaha, which was presented to Tiffany Seibert Joekel, Research and Policy Director of the Women’s Fund of Omaha, who appeared and spoke.

Proclamation read for Brush Up Nebraska, which was presented to Tom and Sheila Pettigrew, Executive Directors of Brush Up Nebraska, who appeared and spoke.

PLANNING ITEMS WITH PLANNING BOARD ATTACHMENTS

BRYNHAVEN AT HANOVER FALLS REPLAT 3

City Clerk Elizabeth Butler stated that Items 6 through 9 relate to the same project and would be considered together.

(Required notices of public hearings relating to this development were published in the Daily Record on May 29, 2018.)

6. ORD. 41495 – An ordinance to rezone property located at 8485 North HWS Cleveland Boulevard from DR-Development Reserve District and R6-Low-Density Multiple-Family Residential District to R6-Low-Density Multiple-Family Residential District – (First Reading May 22, 2018; Second Reading June 5, 2018; Third Reading, Public Hearing and Vote June 12, 2018) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

LIQUOR AND KENO RESOLUTIONS

10. RES. 563 – Class “C” Liquor License Application – Culprit Midtown, LLC, dba “Culprit Café”, 3201 Farnam Street #6112. (This is a new application for a new location). Notice was posted on the property on 05/30/18; Notification was sent to property owners within 500 feet on 05/31/18 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

A. Communication from Michael W. Wilwerding, Chief Building Inspector, Permits & Inspection Division regarding permits for outdoor area – [see attached](#).

Council President Gray opened the Public Hearing on Item 10.

The following person(s) appeared and spoke:

PROPOSERS:

Luke Mabie, 405 South 16th Street #604

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

MOTION by Jerram, SECOND by Festersen that RESOLUTION # 563 be approved contingent upon the outdoor area permits being obtained

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

11. RES. 564 – Class “I” Liquor License Application – Archetype Coffee, LLC, dba “Archetype Coffee”, 1419 South 13th Street, Suite 101. (This is a new application for a new location). Notice was posted on the property on 05/30/18; Notification was sent to property owners within 500 feet on 05/31/18 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

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

Council President Gray opened the Public Hearing on Item 11.

The following person(s) appeared and spoke:

PROPOSERS:

Sean Kelley, Attorney for the applicant, 2804 South 87th Avenue

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

MOTION by Jerram, SECOND by Festersen that RESOLUTION # 564 be approved

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

12. RES. 565 – Class “I” Liquor License Application – Dano1_Consortium, Inc., dba “Acadian Grille”, 725 North 114th Street. (This is a new application for an old location). Present licensee is VooDoo, LLC, dba “VooDoo Taco”, who has a Class “C” Liquor License – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

Council President Gray opened the Public Hearing on Item 12.

The following person(s) appeared and spoke:

PROPOSERS:

Dan O’Brien, 5515 Howard Street

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

MOTION by Melton, SECOND by Festersen that RESOLUTION # 565 be approved

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

13. RES. 566 – Class “I” Liquor License Application – Flying Timber, LLC, dba “Flying Timber”, 1507 Farnam Street. (This is a new application for a new location). Notice was posted on the property on 05/30/18; Notification was sent to property owners within 500 feet on 05/31/18 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

Council President Gray opened the Public Hearing on Item 13.

The following person(s) appeared and spoke:

PROPOSERS:

Matt Wyant, 15909 Vernon Avenue

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

MOTION by Jerram, SECOND by Harding that RESOLUTION # 566 be approved with the following conditions: (1) no alcohol will be allowed in the throwing lanes and (2) a wristband system will be implemented to identify minors

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

14. RES. 567 – Class “D” Liquor License Application – T & A Express, LLC, dba “T & A Express”, 5825 North 30th Street. (This is a new application for an old location). Current Licensee is R2 D2, Inc., dba “RL2”, who has a Class “D” Liquor License – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

Council President Gray opened the Public Hearing on Item 14.

The following person(s) appeared and spoke:

PROPOSERS:

Michael Polk, Attorney for the applicant, 2712 South 87th Avenue

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

MOTION by Melton, SECOND by Harding that RESOLUTION # 567 be approved

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

15. RES. 568 – Bemis Center for Contemporary Arts, dba “Bemis Center for Contemporary Arts”, 724 South 12th Street, requests permission to appoint Ellie F. Novak manager of their present Class “I/K” Liquor License location – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

Council President Gray opened the Public Hearing on Item 15.

The following person(s) appeared and spoke:

PROPOSERS:

Ellie Novak, 1607 South 79th Street

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

MOTION by Jerram, SECOND by Festersen that RESOLUTION # 568 be approved

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

16. RES. 569 – Joslyn Castle Trust, Inc., dba “Joslyn Castle”, 3902 Davenport Street, requests permission to appoint Sidney M. Gnann manager of their present Class “I” Liquor License location – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

Council President Gray opened the Public Hearing on Item 16.

The following person(s) appeared and spoke:

PROPOSERS:

Sidney Gnann, 3902 Davenport Street

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

MOTION by Jerram, SECOND by Festersen that RESOLUTION # 569 be approved

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

17. RES. 570 – Pig & Finch OMA, LLC, dba “801 Grill”, 10387 Pacific Street, requests permission to appoint Jordan H. Wyman manager of their present Class “I” Liquor License location – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

Council President Gray opened the Public Hearing on Item 17.

The following person(s) appeared and spoke:

PROPONENTS:

Jordan Wyman, 319 Pheasant Run Lane, Papillion, NE

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

MOTION by Harding, SECOND by Melton that RESOLUTION # 570 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 18 and 19 relate to Walmart, Inc. manager applications and would be considered together.

18. RES. 571 – Walmart, Inc., dba “Walmart Market #3153”, 6710 South 167th Street, requests permission to appoint Taylor J. Beardall manager of their present Class “D” Liquor License location – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
19. RES. 572 – Walmart, Inc., dba “Walmart Market #4139”, 360 N Saddle Creek Road, requests permission to appoint Kiara L. Bowling manager of their present Class “D” Liquor License location – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

Council President Gray opened the Public Hearing on Items 18 and 19.

The following person(s) appeared and spoke:

PROPONENTS:

Taylor Beardall, 6710 South 167th Street

Kiara Bowling, 360 North Saddle Creek Road

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

**MOTION by Jerram, SECOND by Harding that the following items be approved:
Item # 18 RESOLUTION # 571; and, Item # 19 RESOLUTION # 572**

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

City Clerk Elizabeth Butler stated that Items 20 through 24 relate to keno satellite agreements and would be considered together.

20. RES. 550 – Res. that, in accordance with the Lottery Operator’s Agreement with the City of Omaha, EHPV Lottery Services, LLC is granted approval to operate a Big Red satellite keno location at 12411 W. Center Road – Suite 101/102, The Original Draught House, in Omaha, Nebraska – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
21. RES. 551 – Res. that, in accordance with the Lottery Operator’s Agreement with the City of Omaha, EHPV Lottery Services, LLC is granted approval to operate a Big Red satellite keno location at 4745 S. 96th Street, The Getaway, in Omaha, Nebraska – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
22. RES. 547 – Res. that, in accordance with the Lottery Operator’s Agreement with the City of Omaha, EHPV Lottery Services, LLC is granted approval to operate a Big Red satellite keno location at 4971 Q Street, South Omaha’s Finest Tequila Garage, in Omaha, Nebraska – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
23. RES. 549 – Res. that, in accordance with the Lottery Operator’s Agreement with the City of Omaha, EHPV Lottery Services, LLC is granted approval to operate a Big Red satellite keno location at 20231 Manderson Street, The Good Life Sports Bar & Grill, in Omaha, Nebraska – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
24. RES. 548 – Res. that, in accordance with the Lottery Operator’s Agreement with the City of Omaha, EHPV Lottery Services, LLC is granted approval to operate a Big Red satellite keno location at 504 North 33rd Street, Burnzzz, in Omaha, Nebraska – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
 - A. Communication in opposition – [see attached](#).

Council President Gray opened the Public Hearing on Items 20 through 24.

The following person(s) appeared and spoke:

PROPONENTS:

Katrina Coffey, Bid Red Keno, 11248 John Galt Boulevard

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

MOTION by Harding, SECOND by Melton that the following items be approved:
Item # 20 RESOLUTION # 550; Item # 21 RESOLUTION # 551;
Item # 22 RESOLUTION # 547; Item # 23 RESOLUTION # 549; and,
Item # 24 RESOLUTION # 548

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 25 and 26 were held on June 5, 2018.

(Required notices of the public hearings were published in the Daily Record on June 1, 2018.)

CONSENT AGENDA – ORDINANCES

25. ORD. 41494 – An ordinance approving a redevelopment and tax increment financing loan agreement between the City of Omaha, a Nebraska Municipal Corporation in Douglas County, Nebraska, and GandT Enterprises, LLC, to implement the Jukes Ale Works and Brew Pub Tax Increment Financing (TIF) Redevelopment Project Plan which is for a redevelopment site located at 20560 Elkhorn Drive, and proposes to construct a new building, following demolition and site preparation; the agreement authorizes the use of up to \$259,850.00, plus accrued interest, in excess ad valorem taxes (TIF) generated by the development to help fund the cost of the project – (First Reading May 22, 2018; Second Reading and Public Hearing June 5, 2018; Third Reading June 12, 2018) – [see attached](#).

26. ORD. 41497 – An ordinance supplemental to Ordinance No. 37507 authorizing and directing an issue as Additional Bonds in one or more series of not to exceed an aggregate principal amount of Eighty Million Dollars (\$80,000,000.00) Sanitary Sewerage System Revenue Bond, of the City of Omaha, Nebraska, to be termed for identification purposes “Sanitary Sewerage System Revenue Bond, Series of 2018 (WIFIA Project)”, for the purpose of providing funds to finance the acquisition, construction, improving and equipping of capital improvements to the City’s sanitary sewerage system; prescribing the form of the bond; covenanting to maintain and collect rates and charges for the use and services of the system; pledging the revenue derived from the operation of the system, including all extensions and improvements thereto and equipping thereof, to the payment of the cost of operating and maintaining the system, to the deposits required by Ordinance No. 35840, as supplemented, by Ordinance No. 37507, as previously supplemented, and by this ordinance, to the payment of the principal of and interest on the bond as the same fall due; covenanting to carry out all other covenants and agreements of this ordinance; limiting the payment of the bond

solely to the system revenues; creating and establishing funds and accounts; authorizing the sale of the bond to the U.S. Environmental Protection Agency (“EPA”) – WIFIA Program; making other covenants and agreements in connection with the foregoing; appointing a Paying Agent and Registrar; authorizing the form of the WIFIA Loan Agreement between the City and the EPA and the execution and delivery thereof – (First Reading May 22, 2018; Second Reading and Public Hearing June 5, 2018; Third Reading June 12, 2018) – [see attached](#). **(REMOVED FROM CONSENT)**

A. Amendment of the Whole requested by the Finance Department – [see attached](#).

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

Item # 25 ORDINANCE # 41494

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

26. ORD. 41497 – An ordinance supplemental to Ordinance No. 37507 authorizing and directing an issue as Additional Bonds in one or more series of not to exceed an aggregate principal amount of Eighty Million Dollars (\$80,000,000.00) Sanitary Sewerage System Revenue Bond, of the City of Omaha, Nebraska, to be termed for identification purposes “Sanitary Sewerage System Revenue Bond, Series of 2018 (WIFIA Project)”, for the purpose of providing funds to finance the acquisition, construction, improving and equipping of capital improvements to the City’s sanitary sewerage system; prescribing the form of the bond; covenanting to maintain and collect rates and charges for the use and services of the system; pledging the revenue derived from the operation of the system, including all extensions and improvements thereto and equipping thereof, to the payment of the cost of operating and maintaining the system, to the deposits required by Ordinance No. 35840, as supplemented, by Ordinance No. 37507, as previously supplemented, and by this ordinance, to the payment of the principal of and interest on the bond as the same fall due; covenanting to carry out all other covenants and agreements of this ordinance; limiting the payment of the bond solely to the system revenues; creating and establishing funds and accounts; authorizing the sale of the bond to the U.S. Environmental Protection Agency (“EPA”) – WIFIA Program; making other covenants and agreements in connection with the foregoing; appointing a Paying Agent and Registrar; authorizing the form of the WIFIA Loan Agreement between the City and the EPA and the execution and delivery thereof – (First Reading May 22, 2018; Second Reading and Public Hearing June 5, 2018; Third Reading June 12, 2018) – [see attached](#).

A. Amendment of the Whole requested by the Finance Department – [see attached](#).

The following person was called to appear and spoke:

FOR THE CITY:

Steve Curtiss, Finance Director

MOTION by Jerram, SECOND by Festersen that the Amendment of the Whole for ORDINANCE # 41497 be approved

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 27 through 39 were today. He asked that anyone who wished to address the City Council regarding these items please come to the microphone, indicate the Agenda Item Number being addressed, and state their name, address, who they represent, and if they were speaking as a proponent or opponent.

CONSENT AGENDA – RESOLUTIONS

27. RES. 559 – Res. that, as recommended by the Mayor, the Purchasing Agent is authorized to issue a Purchase Order to Evoqua Water Technologies, LLC in the total amount of \$69,300.00 for one (1) Chemical injection system to be utilized by the Missouri River Water Resource Recovery Facility. (The Finance Department is authorized to pay the cost of this equipment from the Sewer Revenue Fund 21121, Missouri River Wastewater Treatment Plant Organization 116612, year 2018 expenditure.) – [see attached](#).
28. RES. 560 – Res. that, the Interlocal Cooperation Agreement among the City of Omaha, Douglas County School District No. 10 and Sanitary and Improvement Districts (S.&I.D.) S.&I.D. 575, S.&I.D. 577, and S.&I.D. 578 all of Douglas County, Nebraska, for the construction of certain traffic signal improvements at the intersection of 204th and “F” Streets, as recommended by the Mayor, is hereby approved – [see attached](#).
29. RES. 554 – Res. that, the City accepts and the Mayor is authorized to execute the Continuum of Care Program Grant Agreement between the City of Omaha and the U. S. Department of Housing and Urban Development: NE0039L7D011607 for the “Rental Assistance for the Chronically Homeless” project in the amount of \$199,885.00. The Mayor is authorized to approve all revisions to this Continuum of Care Program Grant Agreement, as approved by HUD, except that revisions involving a change in the sub recipient, a change in the project site, or a change in the category of participants to be served shall require the prior approval of the City Council. (Funding Year 2017, Fund No. 12196, Organization No. 128034) – [see attached](#).
30. RES. 555 – Res. that, the Deferred Payment Loan and Grant Agreement, as recommended by the Mayor, to provide funding in the amount of \$25,500.00 for the rehabilitation and lead reduction work to the property located at 4217 Fowler Avenue, Omaha, Nebraska, 68111, owned by Michael S. Royce, Sr., 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](#).

31. RES. 556 – Res. that, the Deferred Payment Loan and Grant Agreement, as recommended by the Mayor, to provide funding in the amount of \$25,500.00 for the rehabilitation and lead reduction work to the property located at 4026 Nicholas Street, Omaha, Nebraska, 68131, owned by Richard L. Williamson, husband, and Cherie M. Williamson, wife, 315 South 68th Street, Omaha, NE 68132, 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](#).
32. RES. 558 – Res. that, as recommended by the Mayor, the bid in the total amount of \$202,766.80 from JBP Concrete & Construction, LLC to furnish all labor, materials and equipment necessary for the construction of the concrete car paths. The work includes but is not limited to: site grading, concrete and seeding at Johnny Goodman Golf Course located at 6111 South 99th Street, Omaha, Nebraska, is hereby accepted. (The Purchasing Agent is authorized to issue a purchase order in conformance herewith. Funds in this amount shall be paid from Fund No. 13356, 2014 Parks and Recreation Fund and Organization No. 117317, Parks and Culture Bond.) – [see attached](#).
33. RES. 557 – Res. that, as recommended by the Mayor, the purchase based upon the quote of Motorola Solutions in the amount of \$995,195.00, which represents Nebraska State Contract bid pricing, having been determined to be the best available current price, for 90 APX6500 mobile radios, 80 APX6000 portable radios, and 170 Radio Management licenses, is hereby approved. (The Finance Department is authorized to pay the cost of the radios and licenses in the total amount of \$995,195.00 from the City Capital Improvement Fund 13112, Organization 131555 City Capital Improvements, Account 44117 Radio Communication Equipment. The City will finance the purchase of the radios and licenses through the issuance of lease purchase bonds by the Public Facilities Corporation. The Omaha Police Department will make annual payments to the Public Facilities Corporation over a seven year period to repay the bonds.) – [see attached](#).
34. RES. 552 – Res. that, as recommended by the Mayor, the Interlocal Cooperation Agreement between the City of DeSoto, Texas and the City of Omaha, Nebraska is hereby approved, allowing for a cooperative purchasing program between the two (2) cities – [see attached](#).
35. RES. 553 – Res. that, as recommended by the Mayor, the contract amendment between the City of Omaha and the National Safety Council Greater Omaha Chapter for the continued administration of a Safety Training Option Plan (S.T.O.P) to extend this agreement for five years to June 30, 2023 – [see attached](#). **(REMOVED FROM CONSENT)**
 - A. Communication in opposition – [see attached](#).
36. RES. 573 - Res. that, the reappointment by Mayor Jean Stothert of Thomas McLeay to the Board of Directors for the Omaha Municipal Land Bank for City Council District 1, to serve a three-year term commencing November 30, 2018, and expiring November 29, 2021, is hereby confirmed and approved – [see attached](#).

37. RES. 574 - Res. that, the reappointment by Mayor Jean Stothert of Kristina Engler to the Public Art Commission as the Landscape Architect member to serve a three-year term commencing June 23, 2018, and expiring June 22, 2021, is hereby confirmed and approved – [see attached](#).
38. RES. 575 - Res. that, the reappointment by Mayor Jean Stothert of Sara Rogers to the Public Art Commission as the Commercial Visual Artist or Designer member for a three-year term commencing August 14, 2018, and expiring August 13, 2021, is hereby confirmed and approved – [see attached](#).
39. RES. 577 - Res. that, the reappointment by Mayor Jean Stothert of Kristin Pluhacek to the Public Art Commission as the Visual Artist member for a three-year term commencing September 25, 2018, and expiring September 24, 2021, is hereby confirmed and approved – [see attached](#).

Council President Gray opened the Public Hearing on Items 27 through 34 and 36 through 39.

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

MOTION by Festersen, SECOND by Melton that CONSENT AGENDA – RESOLUTIONS be approved:

Item # 27 RESOLUTION # 559;	Item # 28 RESOLUTION # 560;
Item # 29 RESOLUTION # 554;	Item # 30 RESOLUTION # 555;
Item # 31 RESOLUTION # 556;	Item # 32 RESOLUTION # 558;
Item # 33 RESOLUTION # 557;	Item # 34 RESOLUTION # 552;
Item # 36 RESOLUTION # 573;	Item # 37 RESOLUTION # 574;
Item # 38 RESOLUTION # 575; and,	Item # 39 RESOLUTION # 577

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

35. RES. 553 – Res. that, as recommended by the Mayor, the contract amendment between the City of Omaha and the National Safety Council Greater Omaha Chapter for the continued administration of a Safety Training Option Plan (S.T.O.P) to extend this agreement for five years to June 30, 2023 – [see attached](#).
 - A. Communication in opposition – [see attached](#).
 - B. Documentation received from Pat Venditte – [see attached](#).

Council President Gray opened the Public Hearing on Item 35.

The following person(s) appeared and spoke:

PROPOSERS:

Eric Koeppe, National Safety Council, 11620 M Circle

OPPONENTS:

Pat Venditte, 1235 Park Wild Avenue

FOR THE CITY:
Matt Kuhse, City Prosecutor
Paul Kratz, City Attorney
Ryan Wiesen, Assistant City Attorney

MOTION by Jerram, SECOND by Gray that RESOLUTION # 553 be postponed to the June 19, 2018 City Council meeting

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

RESOLUTION

40. RES. 506 – Res. that, the Second Amendment to the Omaha Campus for Hope Redevelopment Plan that proposes the demolition and clearance of the existing day shelter, environmental remediation of the eastern side of the redevelopment area, site preparation and landscaping in preparation for the construction of a 43,000 square foot shelter for single adult men and women, in accordance with Section 18-2109 of the Nebraska Revised Statutes, as recommended by the City Planning Department, be and hereby is approved – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

Council President Gray opened the Public Hearing on Item 40.

The following person(s) appeared and spoke:

PROPOSERS:

Sue Morris, Omaha Shelter for Homeless Trust, 10050 Regency Circle
David Lempke, HDR, Inc., 8404 Indian Hills Drive

FOR THE CITY:

Jennifer Taylor, Assistant City Attorney

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

MOTION by Festersen, SECOND by Melton that RESOLUTION # 506 be approved

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

ORDINANCES ON SECOND READING

41. ORD. 41503 – An ordinance approving a redevelopment and Tax Increment Financing (TIF) Redevelopment Agreement between the City of Omaha and DineNDash Lodging, LLC, a Nebraska Limited Liability Company to implement the Moxy Hotel Tax Increment Financing (TIF) Redevelopment Project Plan located at 409 South 12th Street, which proposes the demolition of the existing structure and construction of a new six story, 105 room Marriott franchise hotel with offsite parking; the agreement authorizes the use of up to \$1,931,000.00 in excess ad valorem taxes (TIF) generated by the development to help fund the cost of the project – (First Reading June 5, 2018; Second Reading and Public Hearing June 12, 2018; Third Reading June 19, 2018) – [see attached](#). **(PUBLIC HEARING TODAY)**

Council President Gray opened the Public Hearing on Item 41.

The following person(s) appeared and spoke:

PROPOSERS:

Samir Patel, Hawkeye Hotels, 2706 James Street, Coralville, IA

OPPOSERS:

Mark Vondrasek, 211 South 37th Street

FOR THE CITY:

Don Seten, Planning Department

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

42. ORD. 41504 – An ordinance to amend Section 23-177 of the Omaha Municipal Code by changing the title of the class specifications entitled Management Information Systems Manager to Information Systems Project Manager with no change in salary range; to repeal Section 23-177 as heretofore existing – (First Reading June 5, 2018; Second Reading and Public Hearing June 12, 2018; Third Reading June 19, 2018) – [see attached](#). **(PUBLIC HEARING TODAY)**
- A. Personnel Board recommends approval.

Council President Gray opened the Public Hearing on Item 42.

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

43. ORD. 41505 – An ordinance to provide for approving an Interlocal Agreement between the City of Omaha, the Omaha Library Board of Trustees and Douglas County, for more than one year for the City to provide library services to County (non-City) residents and for the County to contribute to the funding of those services through a Library Tax – (First Reading June 5, 2018; Second Reading and Public Hearing June 12, 2018; Third Reading June 19, 2018) – [see attached](#). **(PUBLIC HEARING TODAY)**

Council President Gray opened the Public Hearing on Item 43.

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

COUNCILMEMBER PALERMO LEFT THE LEGISLATIVE CHAMBERS AT 4:51 P.M.

- 44. ORD. 41506 – An ordinance to approve the Lot B Development Agreement between the City of Omaha and the Metropolitan Entertainment and Convention Authority which establishes guidelines and procedures for future development of Lot B – (First Reading June 5, 2018; Second Reading and Public Hearing June 12, 2018; Third Reading June 19, 2018) – [see attached](#). **(PUBLIC HEARING TODAY)**

Council President Gray opened the Public Hearing on Item 44.

The following person(s) appeared and spoke:

FOR THE CITY:
 Paul Kratz, City Attorney
 Steve Curtiss, Finance Director

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

COUNCILMEMBER PALERMO RETURNED TO THE LEGISLATIVE CHAMBERS AT 4:53 P.M.

NON-ACTION ITEMS

(Items 45 through 57 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.)

INDIAN POINTE

- 45. ORD. 41499 – An ordinance to rezone property located northeast of 189th Street and George Miller Parkway from AG-Agricultural District to R4-Single-Family Residential District (High Density) – (First Reading June 5, 2018; **Second Reading June 12, 2018**; Third Reading, Public Hearing and Vote June 19, 2018) – [see attached](#).
- 46. ORD. 41500 – An ordinance to rezone property located northeast of 189th Street and George Miller Parkway from AG-Agricultural District to DR-Development Reserve District – (First Reading June 5, 2018; **Second Reading June 12, 2018**; Third Reading, Public Hearing and Vote June 19, 2018) – [see attached](#).
 - A. Planning Board and Planning Department recommend approval – [see attached](#).
- 47. RES. 518 – Res. that, the Final Plat entitled Indian Pointe (Lots 395-560, Outlots N-P), located northeast of 189th Street and George Miller Parkway, is hereby approved and accepted. The applicant is FRK Development, LLC – Outside City Limits – [see attached](#). **(LAID OVER TO THE JUNE 19, 2018 MEETING TO COINCIDE WITH ITEM 45)**
 - A. Planning Board and Planning Department recommend approval – [see attached](#).

48. RES. 534 – Res. that, the Subdivision Agreement among the City of Omaha, FRK Development LLC, The Indian Pointe Home Owners Association, Inc., and Sanitary and Improvement District (S.&I.D.) 580 of Douglas County, Nebraska, is hereby approved. The Subdivision is to be known as Indian Pointe (Lots 395-560 and Outlots N-P) and is located northeast of 189th Street and George Miller Parkway – [see attached](#). **(LAID OVER TO THE JUNE 19, 2018 MEETING TO COINCIDE WITH ITEM 45)**

ANCHOR POINTE

49. ORD. 41498 – An ordinance to rezone property located southwest of 168th Street and HWS Cleveland Boulevard from AG-Agricultural District to R4-Single Family Residential District (High Density) – (First Reading June 5, 2018; **Second Reading June 12, 2018**; Third Reading, Public Hearing and Vote June 19, 2018) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
50. RES. 517 – Res. that, the Final Plat entitled Anchor Pointe (Lot 216), located southwest of 168th Street and HWS Cleveland Boulevard, is hereby approved and accepted. The applicant is Douglas County School District #59 – Outside City Limits – [see attached](#). **(LAID OVER TO THE JUNE 19, 2018 MEETING TO COINCIDE WITH ITEM 49)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
51. RES. 561 – Res. that, the Subdivision Agreement among the City of Omaha, Douglas County School District No. 59, and Sanitary and Improvement District No. 567 of Douglas County, Nebraska, as recommended by the Mayor, is hereby approved. The Subdivision is to be known as Anchor Pointe (Lot 216) and is located southwest of 168th Street and HWS Cleveland Boulevard – [see attached](#). **(LAID OVER TO THE JUNE 19, 2018 MEETING TO COINCIDE WITH ITEM 49)**

GEORGE MILLER PARKWAY NORTH

52. ORD. 41501 – An ordinance to rezone property located northwest of 177th Street and George Miller Parkway from AG-Agricultural District to R4-Single Family Residential District (High Density) – (First Reading June 5, 2018; **Second Reading June 12, 2018**; Third Reading, Public Hearing and Vote June 19, 2018) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
53. RES. 519 – Res. that, the Final Plat entitled George Miller Parkway North, located northwest of 177th Street and George Miller Parkway, is hereby approved and accepted. The applicant is Elkhorn Public Schools – Outside City Limits – [see attached](#). **(LAID OVER TO THE JUNE 19, 2018 MEETING TO COINCIDE WITH ITEM 52)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).

54. RES. 562 – Res. that, the Subdivision Agreement between the City of Omaha and Douglas County School District No. 0010, a Nebraska political subdivision, also known as Elkhorn Public Schools, as recommended by the Mayor, is hereby approved. The Subdivision is to be known as George Miller Parkway North (Lot 1 and Outlots A-B) and is located northwest of 177th Street and George Miller Parkway – [see attached](#). **(LAID OVER TO THE JUNE 19, 2018 MEETING TO COINCIDE WITH ITEM 52)**

SEWER IMPROVEMENT DISTRICT ORDINANCE ON SECOND READING

55. ORD. 41502 – An ordinance to create Sewer Improvement District No. 1582, in the City of Omaha, for the purpose of constructing public sanitary sewers within the project area known as 32 California, located at the intersection of North 32nd Street and California Street; to fix and define the boundaries of said district; to provide for the determination and assessment of damages, if any, occasioned by reason of change of grade; to authorize the Public Works Department, barring protest to the contrary in accordance with OMC 26-65, to complete the associated improvement project – (First Reading June 5, 2018; **Second Reading June 12, 2018**; Third Reading, Public Hearing and Vote June 19, 2018) – [see attached](#).

ORDINANCES ON FIRST READING

56. ORD. 41507 – An ordinance declaring the necessity of acquiring, for use by the City of Omaha, the necessary private property for the purpose of the 60th and Harrison Street Improvements, project identified as OPW 53159; providing that the City negotiate with the property owners for land acquisitions, permanent easements and temporary construction easements; providing that as to each specified parcel which cannot be obtained by negotiation, condemnation proceedings be undertaken and completed – (**First Reading June 12, 2018**; Second Reading and Public Hearing June 19, 2018; Third Reading June 26, 2018) – [see attached](#).
57. ORD. 41508 – An ordinance transferring funds from unencumbered balances in the 2017 General Fund Budget of the City of Omaha in accordance with Section 5.10 of the Home Rule Charter of the City of Omaha, 1956, as amended, and to fix the effective date hereof to be immediately upon passage in accordance with Section 2.12 of the Home Rule Charter of the City of Omaha, 1956, as amended. (2017 Year-End Closing) - (**First Reading June 12, 2018**; Second Reading and Public Hearing June 19, 2018; Third Reading June 26, 2018) – [see attached](#).

EXECUTIVE SESSION

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

ADJOURNMENT:

MOTION by Jerram, SECOND by Festersen that the meeting be adjourned

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

MEETING ADJOURNED AT: 4:53 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 June 12, 2018.

WITNESS:

s/Talia Smith

Talia Smith, Senior Administrative Clerk

CITY CLERK:

s/Elizabeth Butler

Elizabeth Butler

This Agenda, which shall be kept continually current, shall be available for public inspection in the Office of the City Clerk, Omaha/Douglas Civic Center, 1819 Farnam Street, Suite LC-1, Omaha, NE, during normal business hours.

All requests for sign language interpreters (signers) will require a minimum of 48 hours advance notice. Alternative formats require a minimum of 72 hours advance notice. Please contact Sherri Brown at (402) 444-5554 if arrangements need to be made.