



JOURNAL RECORD

CITY OF OMAHA

CITY COUNCIL MEETING

TUESDAY, AUGUST 21, 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, August 21, 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 Pahls, Palermo, Festersen, Harding, Jerram, Melton, Mr. President (Gray) – **CCID # 779.**

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

Councilmember Pete Festersen of District No. 1 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 August 17, 2018, notice of the Pre-Council and Regular City Council Meetings, August 21, 2018 – **CCID # 780.**

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

BUDGET RESOLUTIONS FOR FISCAL YEAR 2019

(THE PUBLIC HEARING ON THE BUDGET WAS HELD ON JULY 31, 2018)

(MAYOR'S RECOMMENDED [BUDGET](#) FOR 2019 AS PRESENTED ON JULY 17, 2018)

6. RES. 811 – Res. that, the Recommended 2019 Budget be revised by increasing appropriations in the General Fund in Convention & Tourism by \$115,000.00 and by decreasing appropriations in Other Budgetary Accounts-Contingency Liability Expense (\$107,000.00) and City Council (\$8,000.00) – [see attached](#). **(VOTE TODAY)**

The following person(s) were called to appear and spoke:

FOR THE CITY:

Steve Curtiss, Finance Director
Alan Thelen, Deputy City Attorney

MOTION by Jerram, SECOND by Gray that RESOLUTION # 811 be approved

ROLL CALL:

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

Nays: Harding, Melton

MOTION APPROVED 5-2

7. RES. 810 – Res. that, the Recommended 2019 Budget be revised by increasing appropriations in the General Fund in Other Budgetary Accounts-Community Service Programs by \$20,000.00 and by decreasing appropriations in Other Budgetary Accounts-Contingency Liability Expense (\$11,826.00) and City Council (\$8,174.00) – [see attached](#). **(VOTE TODAY)**

The following person(s) were called to appear and spoke:

FOR THE CITY:

Steve Curtiss, Finance Director

MOTION by Palermo, SECOND by Festersen that RESOLUTION # 810 be approved

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

8. RES. 787 – Res. to raise revenue estimates and revise the expenditures of the 2019 Budget, including General Fund revenues of \$965,708.00 and appropriations of \$965,708.00, Debt Service Fund revenues of \$3,973,944.00 and appropriations of \$4,353,270.00, Redevelopment Fund revenues of \$277,500.00 and appropriations of \$2,775.00, Judgment Fund revenues of \$64,039.00 and appropriations of \$640.00, Street and Highway Fund revenues of \$720,590.00 and appropriations of \$1,643,920, City Street Maintenance Revenue of \$288,375.00, Stadium Fund Revenue of \$152,087.00, Omaha Convention and Visitors Fund Revenue of \$76,043.00, and Sewer Revenue Fund appropriations of \$4,270,322.00 because of the areas annexed into the City on August 29, 2018 – [see attached](#). **(VOTE TODAY)**

MOTION by Jerram, SECOND by Festersen that RESOLUTION # 787 be approved

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

9. RES. 783 – Res. that, upon affirmative vote by more than 75% of the City Council the budgeted restricted funds for Fiscal Year 2019 shall be increased by an additional one percent (1%) as provided by Neb. Rev. Statute §13-519 – [see attached](#). **(VOTE TODAY, APPROVAL REQUIRES A VOTE OF 6 COUNCILMEMBERS)**

MOTION by Jerram, SECOND by Festersen that RESOLUTION # 783 be approved

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

10. RES. 785 – Res. that, the Budget of the City of Omaha for the year 2019 as submitted to the City Council by the Mayor and the Finance Director of the City of Omaha together with revisions evidenced by resolutions and adopted by the City Council at the Council Meeting of August 21, 2018, be and the same is hereby adopted as the Budget of the City of Omaha for the year 2019 – [see attached](#). **(VOTE TODAY)**

MOTION by Jerram, SECOND by Festersen that RESOLUTION # 785 be approved

ROLL CALL:

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

MOTION APPROVED 7-0

CAPITAL IMPROVEMENT PROGRAM 2019-2024

11. RES. 786 – Res. that, the 2019-2024 Capital Improvement Program as attached hereto shall be and the same is hereby approved – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

A. Planning Board and Planning Department recommend approval – [see attached](#).

Council President Gray opened the Public Hearing on Item 11.

The following person(s) appeared and spoke:

PROPOSERS:

Lee Myers, 105 South 9th Street #603

OPPONENTS:

Larry Storer, 5015 Lafayette Avenue

FOR THE CITY:

Steve Curtiss, Finance Director
Dave Fanslau, Planning Director

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

MOTION by Festersen, SECOND by Harding that RESOLUTION # 786 be approved

ROLL CALL:

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

MOTION APPROVED 7-0

PLANNING ITEMS WITH PLANNING BOARD ATTACHMENTS

COVENTRY RIDGE

City Clerk Elizabeth Butler stated that Items 12 through 15 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 August 7, 2018.)

12. ORD. 41554 – An ordinance to rezone property located northwest of Coventry Drive and Harrison Street from DR-Development Reserve District, R4-Single-Family Residential District (High Density) and R6-Low-Density Multiple-Family Residential District to DR-Development Reserve District – (First Reading August 7, 2018; Second Reading August 14, 2018; Third Reading, Public Hearing and Vote August 21, 2018) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
13. ORD. 41555 – An ordinance to rezone property located northwest of Coventry Drive and Harrison Street from DR-Development Reserve District, R4-Single-Family Residential District (High Density) and R6-Low-Density Multiple-Family Residential District to R4-Single-Family Residential District (High Density) – (First Reading August 7, 2018; Second Reading August 14, 2018; Third Reading, Public Hearing and Vote August 21, 2018) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
 - A. Planning Board and Planning Department recommend approval – [see attached](#).
14. RES. 712 – Res. that, the Final Plat transmitted herewith entitled Coventry Ridge (Lots 38-144 and Outlot B), located northwest of Coventry Drive and Harrison Street, is hereby approved, and concurrently a portion of the existing plats entitled Coventry, Coventry Ridge and Coventry Ridge Replat One, are hereby vacated. The applicant is Coventry Ridge LLC – Outside City Limits – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
 - A. Planning Board and Planning Department recommend approval – [see attached](#).
 - B. Documents submitted by Larry Jobeun – [see attached](#).
15. RES. 713 – Res. that, the Subdivision Agreement among the City of Omaha, Coventry Ridge, LLC, the Coventry Ridge Homeowners Association, and Sanitary and Improvement District (S.&I.D.) 524 of Douglas County, Nebraska, as recommended by the Mayor, is hereby approved. The Subdivision is to be known as Coventry Ridge (Lots 38-144 and Outlot B) and is located northwest of Coventry Drive and Harrison Street – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

Council President Gray opened the Public Hearing on Items 12 through 15.

The following person(s) appeared and spoke:

PROPOSERS:

Larry Jobeun, Attorney for the applicant, 11440 West Center Road

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

MOTION by Melton, SECOND by Harding that RESOLUTION # 712 be amended to include Page 2 of the Exhibit

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

MOTION by Melton, SECOND by Harding that the following items be approved:

Item # 12 ORDINANCE # 41554; Item # 13 ORDINANCE # 41555;

Item # 14 RESOLUTION # 712 as amended; and, Item # 15 RESOLUTION # 713

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

COVENTRY REPLAT 9

City Clerk Elizabeth Butler stated that Items 16 through 19 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 August 7, 2018.)

16. ORD. 41556 – An ordinance to rezone property located west of 209th Street and George B Lake Parkway from DR-Development Reserve District and R4-Single-Family Residential District (High Density) to R4-Single-Family Residential District (High Density) – (First Reading August 7, 2018; Second Reading August 14, 2018; Third Reading, Public Hearing and Vote August 21, 2018) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
17. ORD. 41557 – An ordinance to rezone property located west of 209th Street and George B Lake Parkway from DR-Development Reserve District to DR-Development Reserve District – (First Reading August 7, 2018; Second Reading August 14, 2018; Third Reading, Public Hearing and Vote August 21, 2018) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
 - A. Planning Board and Planning Department recommend approval – [see attached](#).
18. RES. 714 – Res. that, the Final Plat transmitted herewith entitled Coventry Replat 9, located west of 209th Street and George B Lake Parkway, is hereby approved, and concurrently a portion of the existing plat entitled Coventry, and described on said replat, is hereby vacated. The applicant is CFM Realty – Outside City Limits – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
 - A. Planning Board and Planning Department recommend approval – [see attached](#).

- 19. RES. 675 – Res. that, the First Amendment to Subdivision Agreement among the City of Omaha, VG-CFM 204Q, LLC, AVG-CFM Coventry Estates, LLC, the Coventry Homeowners Association, Inc., and Sanitary and Improvement District (S.&I.D.) 524 of Douglas County, Nebraska, is hereby approved. The Subdivision is to be known as Coventry Replat 9 (Lots 1-6 and Outlots A-B) and is located west of 209th Street and George B Lake Parkway – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
 - A. Documents submitted by Larry Jobeun – [see attached](#).

Council President Gray opened the Public Hearing on Items 16 through 19.

The following person(s) appeared and spoke:

PROPOSERS:
Larry Jobeun, Attorney for the applicant, 11440 West Center Road

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

MOTION by Harding, SECOND by Gray that RESOLUTION # 675 be amended to replace the attached Subdivision Agreement with the First Amendment to the Subdivision agreement

ROLL CALL:
Yeas: Pahls, Palermo, Festersen, Harding, Jerram, Melton, Mr. President
Nays: None
MOTION APPROVED 7-0

MOTION by Harding, SECOND by Gray that the following items be approved:
Item # 16 ORDINANCE # 41556; Item # 17 ORDINANCE # 41557;
Item # 18 RESOLUTION # 714; and, Item # 19 RESOLUTION # 675 as amended

ROLL CALL:
Yeas: Pahls, Palermo, Festersen, Harding, Jerram, Melton, Mr. President
Nays: None
MOTION APPROVED 7-0

COVENTRY NORTH

City Clerk Elizabeth Butler stated that Items 20 through 23 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 August 7, 2018.)

- 20. ORD. 41559 – An ordinance to rezone property located southwest of 204th and Q Streets from AG-Agricultural District to MU-Mixed Use District – (First Reading August 7, 2018; Second Reading August 14, 2018; Third Reading, Public Hearing and Vote August 21, 2018) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
 - A. Planning Board and Planning Department recommend approval – [see attached](#).

21. RES. 715 – Res. that, the Final Plat entitled Coventry North (Lot 1), located southwest of 204th and Q Streets, is hereby approved and accepted. The applicant is AVG-CFM 204Q, LLC – Outside City Limits – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
22. ORD. 41558 – An ordinance to approve a Major Amendment to a Mixed Use District Development Agreement for Coventry North, to allow for multiple family residential construction of 294 units as Phase 1 of the development., located southwest of 204th and Q Streets, between the City of Omaha and AVG-CFM204Q, LLC, providing site development standards – (First Reading August 7, 2018; Second Reading August 14, 2018; Third Reading, Public Hearing and Vote August 21, 2018) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
23. RES. 716 – Res. that, the Subdivision Agreement among the City of Omaha, AVG-CFM 204Q, LLC, a Nebraska limited liability company, and Sanitary and Improvement District (S.&I.D.) 524 of Douglas County, Nebraska, is hereby approved. The Subdivision is to be known as Coventry North (Lot 1) and is located southwest of 204th and “Q” Streets – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

Council President Gray opened the Public Hearing on Items 20 through 23.

The following person(s) appeared and spoke:

PROPONENTS:

Larry Jobeun, Attorney for the applicant, 11440 West Center Road

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

MOTION by Jerram, SECOND by Gray that ORDINANCE # 41558 be amended to insert the legal description into the ordinance

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

MOTION by Jerram, SECOND by Gray that the following items be approved:

Item # 20 ORDINANCE # 41559; Item # 21 RESOLUTION # 715;

Item # 22 ORDINANCE # 41558 as amended; and, Item # 23 RESOLUTION # 716

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

COVENTRY

City Clerk Elizabeth Butler stated that Items 24 through 28 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 August 7, 2018.)

24. ORD. 41561 – An ordinance to rezone property located northwest of 204th and Harrison Streets from AG-Agricultural District and R4-Single-Family Residential District (High Density) to MU-Mixed Use District – (First Reading August 7, 2018; Second Reading August 14, 2018; Third Reading, Public Hearing and Vote August 21, 2018) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

25. ORD. 41562 – An ordinance to rezone property located northwest of 204th and Harrison Streets from AG-Agricultural District and R4-Single-Family Residential District (High Density) to DR-Development Reserve District – (First Reading August 7, 2018; Second Reading August 14, 2018; Third Reading, Public Hearing and Vote August 21, 2018) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
 - A. Planning Board and Planning Department recommend approval – [see attached](#).

26. RES. 717 – Res. that, the Final Plat transmitted herewith entitled Coventry (Lots 99-110 and Outlots F thru H), located northwest of 204th and Harrison Streets, is hereby approved, and concurrently a portion of the existing plat entitled Coventry Ridge, is hereby vacated. The applicant is Coventry Ridge, LLC – Outside City Limits – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
 - A. Planning Board and Planning Department recommend approval – [see attached](#).

27. ORD. 41560 – An ordinance to approve a Major Amendment to a Mixed Use District Development Agreement for Coventry, to allow for a mixed use development with a grouping of buildings and plaza areas, located northwest of 204th and Harrison Streets, between the City of Omaha and Coventry, providing site development standards – (First Reading August 7, 2018; Second Reading August 14, 2018; Third Reading, Public Hearing and Vote August 21, 2018) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
 - A. Planning Board and Planning Department recommend approval – [see attached](#).

28. RES. 718 – Res. that, the Subdivision Agreement among the City of Omaha, AVG-CFM 204Q, LLC, a Nebraska corporation, the Coventry Homeowners Association, the Coventry Business Owners Association, and Sanitary and Improvement District (S.&I.D.) 524 of Douglas County, Nebraska, as recommended by the Mayor, is hereby approved. The Subdivision is to be known as Coventry (Lots 99-110 and Outlots F-H) and is located northwest of 204th and Harrison Streets – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

Council President Gray opened the Public Hearing on Items 24 through 28.

The following person(s) appeared and spoke:

PROPOSERS:

Larry Jobeun, Attorney for the applicant, 11440 West Center Road

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

MOTION by Harding, SECOND by Gray that ORDINANCE # 41560 be amended to insert the legal description into the ordinance

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

MOTION by Harding, SECOND by Melton that the following items be approved:

Item # 24 ORDINANCE # 41561; Item # 25 ORDINANCE # 41562;

Item # 26 RESOLUTION # 717; Item # 27 ORDINANCE # 41560 as amended; and,

Item # 28 RESOLUTION # 718

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

PLANNING ORDINANCES ON FINAL READING WITH PLANNING BOARD ATTACHMENTS

(Required notice of the public hearing relating to this development was published in the Daily Record on August 7, 2018.)

29. ORD. 41551 – An ordinance to rezone property located at 1401 Jackson Street from DS-Downtown Services District to CBD-Central Business District (property is located within an ACI-1 Overlay District) – (First Reading August 7, 2018; Second Reading August 14, 2018; Third Reading, Public Hearing and Vote August 21, 2018) – [see attached](#).
(PUBLIC HEARING AND VOTE TODAY)

A. Planning Board and Planning Department recommend approval – [see attached](#).

Council President Gray opened the Public Hearing on Item 29.

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

MOTION by Melton, SECOND by Harding that ORDINANCE # 41551 be approved

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

(Required notice of the public hearing relating to this development was published in the Daily Record on August 7, 2018.)

30. ORD. 41552 – An ordinance to amend the boundaries of the MCC-Major Commercial Corridor Overlay District, to incorporate into that district the property located at 3203 North 204th Street – (First Reading August 7, 2018; Second Reading August 14, 2018; Third Reading, Public Hearing and Vote August 21, 2018) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

A. Planning Board and Planning Department recommend approval – [see attached](#).

Council President Gray opened the Public Hearing on Item 30.

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

MOTION by Harding, SECOND by Melton that ORDINANCE # 41552 be approved

ROLL CALL:

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

MOTION APPROVED 7-0

(Required notice of the public hearing relating to this development was published in the Daily Record on August 7, 2018.)

31. ORD. 41553 – An ordinance to amend the boundaries of the ACI-3(PL)-Area of Civic Importance Overlay District, to incorporate into that district the property located at 11910 West Dodge Road and 11815 Webster Street – (First Reading August 7, 2018; Second Reading August 14, 2018; Third Reading, Public Hearing and Vote August 21, 2018) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

A. Planning Board and Planning Department recommend approval – [see attached](#).

Council President Gray opened the Public Hearing on Item 31.

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

MOTION by Melton, SECOND by Harding that ORDINANCE # 41553 be approved

ROLL CALL:

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

MOTION APPROVED 7-0



LIQUOR

32. RES. 707 – Class “C” Liquor License Application – The Next Big Thing, LLC, dba “Drastic Plastic Vinyl Lounge”, 1118 B Howard Street. (This is a new application for a new location). Notice was posted on the property on 07/26/18; Notification was sent to property owners within 500 feet on 07/27/18 – [see attached](#). **(POSTPONED FROM AUGUST 7, 2018 CITY COUNCIL MEETING, PUBLIC HEARING AND VOTE TODAY)**

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

Council President Gray opened the Public Hearing on Item 32.

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 # 707 be approved

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

33. RES. 781 – Special Designated License Application – Havana Garage 1008, LLC, dba “Havana Garage”, 1008 Howard Street, requests permission for a Special Designated License for Oktoberfest at Rathskeller Bier Haus Parking Lot, 4602 Farnam Street on September 7th and 8th, 2018 from noon to 2:00 A.M. with music until 1:30 A.M. each night – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

Council President Gray opened the Public Hearing on Item 33.

The following person(s) appeared and spoke:

PROPOSERS:

Chaz Kline, 1008 Howard Street

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

MOTION by Jerram, SECOND by Gray that the application be amended to request music until 12 midnight each night

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

MOTION by Jerram, SECOND by Gray that RESOLUTION # 781 be approved as amended

ROLL CALL:

Yeas: Pahls, Palermo, Festersen, Harding, Jerram, Melton, 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 34 through 36 were held on August 14, 2018.

(Required notices of the public hearings were published in the Daily Record on August 10, 2018.)

CONSENT AGENDA – ORDINANCES

34. ORD. 41563 – An ordinance to amend Ordinance No. 41511, concerning sewer use fees for the period January 1, 2019 through December 31, 2023, to provide for an amended effective date of January 1, 2019; to readopt the amendments to Omaha Municipal Code Sections 31-51, 31-145, 31-147 and 31-158 as set forth herein and in Ordinance No. 41511 – (First Reading August 7, 2018; Second Reading and Public Hearing August 14, 2018; Third Reading August 21, 2018) – [see attached](#).
35. ORD. 41564 – An ordinance to amend section 34-332 of the Omaha Municipal Code; to clarify property owners' responsibilities for snow removal from sidewalks along the rear of lots; to repeal Omaha Municipal Code section 34-332 as heretofore existing – (First Reading August 7, 2018; Second Reading and Public Hearing August 14, 2018; Third Reading August 21, 2018) – [see attached](#).
36. ORD. 41565 – An ordinance to approve the acceptance of and authorize disbursement over more than one fiscal year from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, FY 2017 Edward Byrne Memorial Justice Assistance Grant (JAG) Program, Award #2017-DJ-BX-0315, in the amount of \$380,836.00, during the project period extending from October 1, 2016 to September 30, 2020; to provide funding for law enforcement programs, prevention and education programs, prosecution and court programs, mental health programs and related law enforcement corrections programs, and planning, evaluation and technology improvement programs; 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 – (First Reading August 7, 2018; Second Reading and Public Hearing August 14, 2018; Third Reading August 21, 2018) – [see attached](#).

**MOTION by Jerram, SECOND by Festersen that the following items be approved:
Item # 34 ORDINANCE # 41563; Item # 35 ORDINANCE # 41564; and,
Item # 36 ORDINANCE # 41565**

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

Council President Gray announced that the public hearings on Agenda Items 37 through 60 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.

COUNCIL PRESIDENT GRAY STATED THAT AGENDA ITEM 59 WAS REMOVED FROM THE CONSENT AGENDA

CONSENT AGENDA – RESOLUTIONS

37. RES. 788 – Res. that, as recommended by the Mayor, the Purchasing Agent is authorized to issue a Purchase Order to Anderson Ford Lincoln Mercury Mazda in the total amount of \$49,180.00 for one (1) 19,500 GVW Chassis, to be utilized by the Street Maintenance Division. (The Finance Department is authorized to pay the cost of this equipment from the Street and Highway Allocation Fund 12131, Pavement Maintenance Organization 116158, year 2018 expenditure.) – [see attached](#).
38. RES. 789 – Res. that, as recommended by the Mayor, the Purchasing Agent is authorized to issue a Purchase Order to Pro Tech Commercial Vehicle Outfitters, Inc. in the total amount of \$36,034.00 for one (1) Steel High Top Utility Box Under Body PTO Driven Air Compressor to be utilized by the Sewer Maintenance Division. (The Finance Department is authorized to pay the cost of this equipment from the Sewer Revenue Fund 21121, Maintenance Organization 116511, year 2018 expenditure.) – [see attached](#).
39. RES. 790 – Res. that, as recommended by the Mayor, the contract with Eriksen Construction Company, Inc. for OPW 53138 being the 30th and G Lift Station Improvements, is hereby approved. (The Finance Department is authorized to pay the cost of \$52,300.00 from the Sewer Revenue Improvements Fund 21124, Capital Asset Replacement Program Organization 116913, year 2018 expenditure.) – [see attached](#).
40. RES. 791 – Res. that, as recommended by the Mayor, the contract with Heimes Corp. for OPW 52781 (CSO) in the amount of \$2,085,381.93, being the West Hanscom Park Green Infrastructure, is hereby approved. (The Finance Department is authorized to pay the cost of \$2,085,381.93 from the Sewer Revenue Improvements Fund 21124, CSO Control Implementation Organization 116918, year 2018 expenditure.) – [see attached](#).

41. RES. 792 – Res. that, as recommended by the Mayor, the contract with Iowa Civil Contracting, Inc. for OPW 53419 in the amount of \$203,036.61, being the 2018 Penetrating Concrete Sealer at Various Locations, is hereby approved. (The Finance Department is authorized to pay the cost of \$203,036.61 from the Street and Highway Allocation Fund 12131, Street Improvement Organization 116165, year 2018 expenditure.) – [see attached](#).
42. RES. 793 – Res. that, as recommended by the Mayor, the contract with Swain Construction, Inc. for OPW 53313 in the amount of \$118,700.00, being the Concrete Speed Bumps at Various Locations Project, is hereby approved. (The Finance Department is authorized to pay the cost of \$118,700.00 from the Street and Highway Allocation Fund 12131, Traffic Engineering Capital Organization 116189, year 2018 expenditure.) – [see attached](#).
43. RES. 794 – Res. that, as recommended by the Mayor, Change Order No. 1 with Oldcastle Materials Midwest Company, dba Omni Engineering, for additional work on OPW 53302, in the amount of \$230,922.75, being the 2018 Residential Street Resurfacing, Various Locations Project, is hereby approved. (The Finance Department is authorized to pay an additional sum of \$230,922.75, which is to be paid from the City Street Maintenance Fund 12129, Residential Street Rehabilitation Organization 116161; year 2018 expenditure.) – [see attached](#).
44. RES. 795 – Res. that, as recommended by the Mayor, Change Order No. 2 with DMS Landscaping for additional work on OPW 53359, in the amount of \$156,116.57, being the 2018 Brick Street Restoration at Various Locations Project, is hereby approved. (The Finance Department is authorized to pay an additional sum of \$156,116.57, which is to be paid from the Street and Highway Allocation Fund 12131, Residential Brick Street Repair Organization 116122; year 2018 expenditure.) – [see attached](#).
45. RES. 796 – Res. that, as recommended by the Mayor, Change Order No. 3 with DMS Landscaping for additional work on OPW 53359, in the amount of \$105,477.70, being the 2018 Brick Street Restoration at Various Locations Project, is hereby approved. (The Finance Department is authorized to pay an additional sum of \$105,477.70, which is to be paid from the Street and Highway Allocation Fund 12131, Residential Brick Street Repair Organization 116122; year 2018 expenditure.) – [see attached](#).
46. RES. 797 – Res. that, as recommended by the Mayor, the Professional Services Agreement with Alfred Benesch & Co. to provide professional services on OPW 53201, in the amount of \$37,460.00, being the 79th Street and Shirley Street, Street Improvement District Project, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$37,460.00, from the Capital Special Assessment Fund 13573, Special Assessments Organization 116168, year 2018 expenditure.) – [see attached](#).
47. RES. 798 – Res. that, as recommended by the Mayor, the Professional Services Agreement with Waste Management in the amount of \$40,460.00, to provide professional services on the 2018 Omaha Spring Cleanup Collection Services Project, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$40,460.00 from the General Fund 11111, Solid Waste - Collect & Disposal Organization 116321, year 2018 expenditure.) – [see attached](#).

48. RES. 799 – Res. that, as recommended by the Mayor, the Professional Services Agreement with Olsson Associates in the amount of \$80,000.00 to provide professional services on the Complete Streets Design Guideline Support & Training Project, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$80,000.00, from the 2014 Transportation Bond Fund 13184, Transportation Bonds Required Organization 117117, year 2018 expenditure.) – [see attached](#).
49. RES. 800 – Res. that, as recommended by the Mayor, the Professional Services Agreement with Alfred Benesch & Co. to provide professional services on OPW 52781, being the West Hanscom Park Green Infrastructure Project, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$210,005.00, from the Sewer Revenue Improvements Fund 21124, CSO Control Implementation Organization 116918, year 2018 expenditure.) – [see attached](#).
50. RES. 801 – Res. that, as recommended by the Mayor, the Professional Services Agreement with Gonzales Companies, LLC in the amount of \$50,726.50 to provide professional services on OPW 53453, being the Nicholas Street from N 87th Street to End Project, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$50,726.50, from the Capital Special Assessment Fund 13573, Special Assessments Organization 116168, year 2018 expenditure.) – [see attached](#).
51. RES. 802 – Res. that, as recommended by the Mayor, the Construction Engineering Services Agreement between the City of Omaha and Schemmer Associates, in the amount of \$236,464.82, as stewarded by the Nebraska Department of Transportation, for professional construction engineering services on the Major Street Resurfacing project to be constructed in various locations around the City, designated as MAPA-5044(7) Control No. 22735, and OPW 53252. (Cost of \$236,464.82, with up to 80% of said costs to be reimbursed through Federal Funding which will be paid through the City Street Maintenance Fund 12129, Major Street Resurfacing Organization 116159, is hereby approved. The City Council hereby authorizes the Mayor and City Clerk to sign the Agreement on behalf of the City of Omaha.) – [see attached](#).
52. RES. 803 – Res. that, as recommended by the Mayor, the Professional Services Agreement with Olsson Associates in the amount of \$109,815.70 to provide professional services for OPW 52148, also known as HSIP-6-7(180), State Control No. 22482, being the Dodge Street Adaptive Signal Control Technology (ASCT) Project, is hereby approved. (The Finance Department is authorized to disburse and receive funds related to this project in an amount not to exceed \$109,815.70, which will be a part of Capital Improvement Program Transportation Project #514 through the 2014 Transportation Bond Fund 13184, Transportation Bonds Organization 117117, year 2017 expenditures.) – [see attached](#).
53. RES. 804 – Res. that, the Purchasing Agent be authorized to issue a purchase order to Reddick Management dba Husker Tree & Landscaping in the amount of \$57,750.00 for tree trimming and removal in the Neighborhood Action & Fact (R.O.W. of North Freeway) Phase I – [see attached](#).

54. RES. 805 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Environmental Restoration, LLC in the amount of \$95,861.00 for the Omaha Soil Remediation Program Project Group No. 439. (The Finance Department is authorized to pay the cost of the project in the amount of \$95,861.00 from City of Omaha - U.S. EPA Cooperative Agreement Assistance ID No. V-97748601 out of Lead Hazard Fund 12136, Organization 128104.) – [see attached](#).
55. RES. 806 – Res. that, the Amendment to the Omaha-Council Bluffs Fiscal Years 2016 and 2017 Consolidated Submissions for Community Planning and Development Programs is hereby approved – [see attached](#).
56. RES. 807 – Res. that, as recommended by the Mayor, the bid in the total amount of \$223,824.00 from Cornhusker International to purchase two (2) 35,000 GVW Truck Chassis, Cab, and Dump Box, is hereby accepted. (The Purchasing Agent is authorized to issue a purchase order in conformance herewith; and the Finance Department is authorized to pay the Funds in the amount of \$223,824.00 from the Marinas Fund No. 21111, Organization No. 115451, NP Dodge Marina.) – [see attached](#).
57. RES. 808 – Res. that, as recommended by the Mayor, the signed Memo of Understanding – Funding Agreement is hereby ratified and the purchase from Physio-Control, Inc., in the amount of \$21,708.40 for the purchase of two (2) Lucas Chest Compression Devices, is hereby approved. (The Finance Department of the City of Omaha is authorized to pay Physio-Control, Inc. in the amount of \$21,708.40 for the purchase of two (2) Lucas Chest Compression Devices, from the grant funds received from the Firehouse Subs Public Safety Foundation, Fund 12201, Fire Grants, 114582 EMS Services, 47012 Equipment over \$10,000.) – [see attached](#).
58. RES. 809 – Res. that, the extension to the Maintenance and Support Agreement with Motorola Solutions, Inc. in the amount of \$46,845.00 to extend the maintenance on PremierCAD and PremierMDC for an additional year from August 1, 2018 through July 31, 2019 is hereby approved. (To be paid from the Omaha Fire Department's 2018 budget; Fund 11111, Organization 114515, Expense Code 42411). The Agreement between the City of Omaha and Douglas County and Sarpy County in which Sarpy County agrees to reimburse the City of Omaha \$5,565.62 and Douglas County agrees to reimburse the City of Omaha fifty percent (50%) of the remaining costs incurred under the maintenance agreement with Motorola Solutions, Inc. is hereby approved – [see attached](#).
59. RES. 812 – Res. that, as recommended by the Mayor, the City Clerk is hereby authorized to attest, and the Mayor of the City of Omaha is authorized and empowered to execute for and on behalf of the City of Omaha, the contract for professional services between the City of Omaha and the National Safety Council Greater Omaha Chapter for the administration of pretrial diversion driver safety classes – [see attached](#). **(REMOVED FROM CONSENT)**
60. RES. 784 – Res. that, the City of Omaha retains its membership in the League of Nebraska Municipalities and pay its dues in the amount of \$75,495.00 to be paid from the 2018 General Fund 11111, General Expense 119014, Account 42852 Membership Dues – [see attached](#).

Council President Gray opened the Public Hearing on Items 37 through 58 and 60.

The following person(s) appeared and spoke:

PROPONENTS:

Item # 53 – Kevin Reddick, Husker Tree & Landscaping, 5417 North 50th Street

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

MOTION by Jerram, SECOND by Festersen that the following items be approved:

Item # 37 RESOLUTION # 788;	Item # 38 RESOLUTION # 789;
Item # 39 RESOLUTION # 790;	Item # 40 RESOLUTION # 791;
Item # 41 RESOLUTION # 792;	Item # 42 RESOLUTION # 793;
Item # 43 RESOLUTION # 794;	Item # 44 RESOLUTION # 795;
Item # 45 RESOLUTION # 796;	Item # 46 RESOLUTION # 797;
Item # 47 RESOLUTION # 798;	Item # 48 RESOLUTION # 799;
Item # 49 RESOLUTION # 800;	Item # 50 RESOLUTION # 801;
Item # 51 RESOLUTION # 802;	Item # 52 RESOLUTION # 803;
Item # 53 RESOLUTION # 804;	Item # 54 RESOLUTION # 805;
Item # 55 RESOLUTION # 806;	Item # 56 RESOLUTION # 807;
Item # 57 RESOLUTION # 808;	Item # 58 RESOLUTION # 809; and,
Item # 60 RESOLUTION # 784	

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

59. RES. 812 – Res. that, as recommended by the Mayor, the City Clerk is hereby authorized to attest, and the Mayor of the City of Omaha is authorized and empowered to execute for and on behalf of the City of Omaha, the contract for professional services between the City of Omaha and the National Safety Council Greater Omaha Chapter for the administration of pretrial diversion driver safety classes – [see attached](#).

A. Documents submitted by Pat Venditte – [see attached](#).

Council President Gray opened the Public Hearing on Item 59.

The following person(s) appeared and spoke:

PROPONENTS:

Susan Booth, 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

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

MOTION by Jerram, SECOND by Gray that the RESOLUTION # 812 be amended to provide that an increase in fees of less than 3 percent can be approved by mutual agreement of the parties; that an increase in fees equal to or greater than 3 percent must be approved by the City Council and Mayor; and that fee increases will be annual and non-compounding

ROLL CALL:

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

Nays: Palermo, Festersen

MOTION APPROVED 5-2

MOTION by Jerram, SECOND by Festersen that RESOLUTION # 812 be approved as amended

ROLL CALL:

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

Nays: Palermo, Festersen

MOTION APPROVED 5-2

ORDINANCES ON SECOND READING

61. ORD. 41566 – An ordinance to designate the Carnation Ballroom located northeast of 24th and Miami Streets as a landmark pursuant to the Landmark Heritage Preservation Ordinance of the City of Omaha – (First Reading August 14, 2018; Second Reading and Public Hearing August 21, 2018; Third Reading August 28, 2018) – [see attached](#). **(PUBLIC HEARING TODAY)**

A. Planning Board and Planning Department recommend approval – [see attached](#).

Council President Gray opened the Public Hearing on Item 61.

The following person(s) appeared and spoke:

PROPONENTS:

Brian Whetstone, Restoration Exchange, 3902 Davenport Street

Henry Nunn, 523 North 33rd Street #3

Juanita Johnson, 2520 Franklin Street

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

62. ORD. 41571 – An ordinance to approve a Major Amendment to a Mixed Use District Development Agreement for Village Pointe, to allow for Automotive Sales, located at 225 North 170th Street, between the City of Omaha and 168th and Woodhouse Auto Family, Inc., a Nebraska corporation, providing site development standards – (First Reading August 14, 2018; Second Reading and Public Hearing August 21, 2018; Third Reading August 28, 2018) – [see attached](#). **(PUBLIC HEARING TODAY)**

A. Planning Board and Planning Department recommend approval – [see attached](#).

Council President Gray opened the Public Hearing on Item 62.

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

63. ORD. 41567 – An ordinance approving a bid from Priority 1 Courier & Delivery, LLC, in the amount of \$121,413.00, to provide delivery services between twelve public libraries as well as other designated pick-up and delivery sites throughout the City of Omaha Metropolitan Area, for a period of one year, commencing upon approval – (First Reading August 14, 2018; Second Reading and Public Hearing August 21, 2018; Third Reading August 28, 2018) – [see attached](#). **(PUBLIC HEARING TODAY)**

Council President Gray opened the Public Hearing on Item 63.

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

NON-ACTION ITEMS

(Items 64 through 79 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.)

(CITY COUNCIL WILL NOT MEET ON SEPTEMBER 4, 2018 DUE TO THE LABOR DAY HOLIDAY)

THE TOWNHOMES OF VILLAGE POINTE

64. ORD. 41568 – An ordinance to rezone property located southwest of 168th Street and Western Avenue from AG-Agricultural District to DR-Development Reserve District – (First Reading August 14, 2018; **Second Reading August 21, 2018**; Third Reading, Public Hearing and Vote August 28, 2018) – [see attached](#).
65. ORD. 41569 – An ordinance to rezone property located southwest of 168th Street and Western Avenue from AG-Agricultural District to R6-Low-Density Multiple-Family Residential District – (First Reading August 14, 2018; **Second Reading August 21, 2018**; Third Reading, Public Hearing and Vote August 28, 2018) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
66. ORD. 41570 – An ordinance to approve a PUD-Planned Unit Development Overlay District in a R6-Low-Density Multiple-Family Residential District, located southwest of 168th Street and Western Avenue, to approve the Development Plan – (First Reading August 14, 2018; **Second Reading August 21, 2018**; Third Reading, Public Hearing and Vote August 28, 2018) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).

67. RES. 772 – Res. that, the Final Plat entitled The Townhomes of Village Pointe (Lots 1-120, Outlots A-E), located southwest of 168th Street and Western Avenue, is hereby approved and accepted. The applicant is Steve Champoux – Outside City Limits – [see attached](#). **(LAID OVER TO THE AUGUST 28, 2018 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 64)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
68. RES. 782 – Res. that, the Subdivision Agreement among the City of Omaha, VP 168, LLC, a Nebraska corporation, the Townhomes of Village Pointe Home Owners Association, and Sanitary and Improvement District (S.&I.D.) 587 of Douglas County, Nebraska, as recommended by the Mayor, is hereby approved. The Subdivision is to be known as The Townhomes of Village Pointe (Lots 1-120 and Outlots A-E) and is located southwest of 168th Street and Western Avenue – [see attached](#). **(LAID OVER TO THE AUGUST 28, 2018 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 64)**

RESOLUTIONS

69. RES. 766 – Res. that, the Dahlman Rows Tax Increment Financing (TIF) Redevelopment Project Plan for the redevelopment project site located at 1903 South 7th Street proposes the construction of 36 for sale market rate row house units, and authorizes the City’s participation through the allocation of TIF in an amount up to \$1,800,000.00, plus accrued interest, to offset TIF eligible costs such as acquisition, street paving, utility mains, architectural and engineering fees, and any public improvements, as may be 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, as analyzed and determined to be in conformance with the Community Development Law and as recommended by the City Planning Department, be and hereby is approved – [see attached](#). **(LAID OVER TO THE SEPTEMBER 11, 2018 CITY COUNCIL MEETING TO ADVERTISE FOR PUBLIC HEARING)**
- A. Communication in support – [see attached](#).
70. RES. 767 – Res. that, the 420 Condominium Regime Tax Increment Financing (TIF) Redevelopment Project Plan for the redevelopment project site located at 420 South 11th Street, proposes the reconstruction of twelve (12) residential condominium units and their associated common areas, and authorizes the City’s participation through the allocation of TIF in an amount up to \$685,682.00, plus accrued interest, to offset TIF eligible expenses including, but not limited to interior demolition, mold and asbestos abatement, structural stabilization, rehabilitation construction, architecture and engineering fees, and public improvements as may be required, containing a provision for the division of ad valorem taxes under Section 18-2147 through 18-2150, Revised Statutes of Nebraska, as analyzed and determined to be in conformance with the Community Development Law and as recommended by the City Planning Department, be and hereby is approved – [see attached](#). **(LAID OVER TO THE SEPTEMBER 11, 2018 CITY COUNCIL MEETING TO ADVERTISE FOR PUBLIC HEARING)**

71. RES. 768 – Res. that, the Grace University Tax Increment Financing (TIF) Redevelopment Project Plan for the redevelopment project site located at 1311 South 9th Street, proposes the adaptive reuse of the former Grace University campus into 167 one bedroom and studio market rate apartments, with 100 off-street parking spaces and additional parking proposed, for a total of 167 parking spaces, and authorizes the City's participation through the allocation of TIF in an amount up to \$2,786,095.00, plus accrued interest, to offset TIF eligible expenses including, but not limited to acquisition, architecture and engineering fees, asbestos abatement, and any other 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 analyzed and determined to be in conformance with the Community Development Law and as recommended by the City Planning Department, be and hereby is approved – [see attached](#). **(LAID OVER TO THE SEPTEMBER 11, 2018 CITY COUNCIL MEETING TO ADVERTISE FOR PUBLIC HEARING)**
72. RES. 769 – Res. that, the Blackstone Hotel Tax Increment Financing (TIF) Redevelopment Project Plan, for the redevelopment project site located at 302 South 36th Street, which proposes the complete rehabilitation, conversion and restoration of the historic Blackstone Hotel into a 204 room upper, upscale, full-service boutique hotel with various hotel amenities, authorizes the City's participation through the allocation of TIF in an amount up to \$7,646,000.00, plus accrued interest, to offset TIF eligible expenses including, but not limited to acquisition, utility extensions and hookups, and public improvements as required, with the applicant contributing \$31,000.00 of the TIF loan proceeds to the Midtown Public Improvement Fund for future public infrastructure improvements along Farnam Street, containing a provision for the division of ad valorem taxes under Section 18-2147 through 18-2150, Revised Statutes of Nebraska, as analyzed and determined to be in conformance with the Community Development Law and as recommended by the City Planning Department, be and hereby is approved – [see attached](#). **(LAID OVER TO THE SEPTEMBER 11, 2018 CITY COUNCIL MEETING TO ADVERTISE FOR PUBLIC HEARING)**
73. RES. 770 – Res. that, the Drummond Motor Company and Firestone Tire Buildings Tax Increment Financing (TIF) Redevelopment Project Plan, for the redevelopment project site located at 2570 and 2566 Farnam Street, proposes a complete rehabilitation and conversion of two historic buildings: 1) the Drummond Motor Company Building into 20 market rate apartment units, ground floor and basement commercial space, and indoor parking garage, and 2) the Firestone Tire Building into approximately 20,000 SF of leasable commercial retail and office space, and authorizes the City's participation through the allocation of TIF in an amount up to \$1,080,688.00, plus accrued interest, to offset TIF eligible expenses, including, but not limited to acquisition, rehabilitation and renovation construction costs, and public improvements as required, with the applicant contributing \$20,000.00 of the TIF loan proceeds to the Midtown Public Improvement Fund for future public infrastructure improvements along Farnam Street, containing a provision for the division of ad valorem taxes under Section 18-2147 through 18-2150, Revised Statutes of Nebraska, as analyzed and determined to be in conformance with the Community Development Law and as recommended by the City Planning Department, be and hereby is approved – [see attached](#). **(LAID OVER TO THE SEPTEMBER 11, 2018 CITY COUNCIL MEETING TO ADVERTISE FOR PUBLIC HEARING)**

74. RES. 771 – Res. that, the Cuming Plaza Tax Increment Financing (TIF) Redevelopment Project Plan for redevelopment project site located at 3040 Cuming Street, proposes the rehabilitation of a portion of an existing 23,000 square foot unused warehouse building with no parking into an approximately 7,000 square foot, 3-bay retail center with 25 parking stalls, and demolition of the existing metal building, and authorizes the City's participation through the allocation of TIF in an amount up to \$133,554.00, plus accrued interest, to offset TIF eligible expenses including, but not limited to acquisition, demolition, architectural and engineering fees, and any public improvements, as may be required, containing a provision for the division of ad valorem taxes under Section 18-2147 through 18-2150, Revised Statutes of Nebraska, as analyzed and determined to be in conformance with the Community Development Law and as recommended by the City Planning Department, be and hereby is approved – [see attached](#). **(LAID OVER TO THE SEPTEMBER 11, 2018 CITY COUNCIL MEETING TO ADVERTISE FOR PUBLIC HEARING)**

SPECIAL USE PERMITS

75. RES. 773 – Res. that, the Special Use Permit application submitted by Schlick Construction, for a Special Use Permit to allow development in the ED-North Hills Environmental Resources Overlay District, located at 3327 Lindenwood Lane, 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 application, 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 AUGUST 28, 2018 CITY COUNCIL MEETING TO NOTIFY SURROUNDING PROPERTY OWNERS AND ADVERTISE FOR PUBLIC HEARING)**

A. Planning Board and Planning Department recommend approval – [see attached](#).

76. RES. 774 – Res. that, the Special Use Permit application submitted by S&W Fence, for a Large Project Special Use Permit to allow total building floor area over 40,000 square feet (a portion of the property is located in the FF-Flood Fringe Overlay District), for property located at 6726 North 87th Circle, Omaha, Nebraska, is hereby approved and Permits and Inspection Division is directed to issue the necessary permit therefore, provided the conditions set out in Exhibit "A" of the 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 – [see attached](#). **(LAID OVER TO THE AUGUST 28, 2018 CITY COUNCIL MEETING TO NOTIFY SURROUNDING PROPERTY OWNERS AND ADVERTISE FOR PUBLIC HEARING)**

A. Planning Board and Planning Department recommend approval – [see attached](#).

77. RES. 775 – Res. that, the Special Use Permit application submitted by Amerco Real Estate Company, for a Special Use Permit to allow Automotive rentals in a CC-Community Commercial District, located at 5808 South 144th Street and 5801 South 147th 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 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 – [see attached](#). **(LAID OVER TO THE AUGUST 28, 2018 CITY COUNCIL MEETING TO NOTIFY SURROUNDING PROPERTY OWNERS AND ADVERTISE FOR PUBLIC HEARING)**

A. Planning Board and Planning Department recommend approval – [see attached](#).

ORDINANCES ON FIRST READING

78. ORD. 41572 – An ordinance to approve Lease Agreement, No. DACW45-1-18-6031 with Exhibits A-E, between the City of Omaha and the Secretary of the Army, for more than one year, for the City to provide operation and maintenance of parkland and recreational opportunities at Papillion Creek and Dam #11, commonly referred to as Cunningham Lake – **(First Reading August 21, 2018; Second Reading and Public Hearing August 28, 2018; Third Reading September 11, 2018)** – [see attached](#).

79. ORD. 41573 – An ordinance to approve the acceptance of and authorize disbursement over more than one fiscal year from the Nebraska Crime Commission, FY 2017 STOP Violence Against Women (VAWA) Grant, Award #17-VW-0711 in the amount of \$234,406.00, during the project period of July 1, 2018 to June 30, 2019; to enhance victim assistance services and prosecute cases of domestic violence through the multi-agency Douglas County Community Response Team, in conformity with Section 5.17 of the Home Rule Charter – **(First Reading August 21, 2018; Second Reading and Public Hearing August 28, 2018; Third Reading September 11, 2018)** – [see attached](#).

EXECUTIVE SESSION

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

ADJOURNMENT

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

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

MEETING ADJOURNED AT: 4:38 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 August 21, 2018.

WITNESS:

s/Talia Smith

Talia Smith, Senior Administrative Clerk

CITY CLERK:

s/Elizabeth Butler

Elizabeth Butler