



JOURNAL RECORD

CITY OF OMAHA CITY COUNCIL MEETING

TUESDAY, NOVEMBER 20, 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, November 20, 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 Jerram, Melton, Pahls, Palermo, Festersen, Harding, Mr. President (Gray) – **CCID # 1037**.

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

Councilmember Rich Pahls of District No. 5 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 November 16, 2018, notice of the Pre-Council and Regular City Council Meetings, November 20, 2018 – **CCID # 1038**.

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

PLANNING ITEMS WITH PLANNING BOARD ATTACHMENTS

THE SHIRE

(Required notice of the public hearing relating to this development was published in the Daily Record on November 6, 2018.)

6. RES. 994 – Res. that, the Preliminary Plat entitled The Shire, located northeast of 72nd Street and Silver Valley Road, along with the conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized. The applicant is GN & Sons, Inc – Inside City Limits – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY, REQUEST FROM THE CITY CLERK TO POSTPONE TO THE DECEMBER 4, 2018 CITY COUNCIL MEETING TO NOTIFY SURROUNDING PROPERTY OWNERS)**
 - A. Planning Board and Planning Department recommend approval – [see attached](#).

Council President Gray opened the Public Hearing on Item 6.

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

MOTION by Festersen, SECOND by Jerram that RESOLUTION # 994 be postponed to the December 4, 2018 City Council meeting and that the public hearing be continued

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

IDA POINTE NORTH

City Clerk Elizabeth Butler stated that Items 7 and 8 relate to the same project and would be considered together.

7. RES. 1039 – Res. that, the request of Ryan Lindquist, Elkhorn Public Schools, for a waiver to the Present Development Zone specifications of the Urban Development Element of the City of Omaha Master Plan for property located southwest of 180th and Ida Streets and in conjunction with the proposed Ida Pointe North subdivision plat, as shown on Exhibit "A" is hereby approved – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

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

8. RES. 1040 – Res. that, the Preliminary Plat entitled Ida Pointe North located southwest of 180th and Ida Streets, along with the conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized. The applicant is Ryan Lundquist, Elkhorn Public Schools – Outside City Limits – [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 Items 7 and 8.

The following person(s) appeared and spoke:

PROPONENTS:

Joe Zadina, Lamp Rynearson, 14710 West Dodge Road

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

**MOTION by Melton, SECOND by Harding that the following items be approved:
Item # 7 RESOLUTION # 1039; and, Item # 8 RESOLUTION # 1040**

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

VISTANCIA

City Clerk Elizabeth Butler stated that Items 9 and 10 relate to the same project and would be considered together.

9. RES. 1041 – Res. that, the request of 20535 Fort LLC, for a waiver to the Present Development Zone specifications of the Urban Development Element of the City of Omaha Master Plan for property located northwest of 204th and Fort Streets and in conjunction with the proposed Vistancia subdivision plat, as shown on Exhibit "A" is hereby approved – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

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

10. RES. 1042 – Res. that, the Preliminary Plat entitled Vistancia, with a waiver of Section 53-8(4)(d), Lot frontage, located northwest of 204th and Fort Streets, along with the conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized. The applicant is 20535 Fort LLC – Outside City Limits – [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 Items 9 and 10.

The following person(s) appeared and spoke:

PROPONENTS:

Brent Beller, Attorney for the applicant, 11440 West Center Road

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

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

Item # 9 RESOLUTION # 1041; and, Item # 10 RESOLUTION # 1042

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

PLANNING ORDINANCES ON FINAL READING WITH PLANNING BOARD ATTACHMENTS

(Required notices of the public hearings relating to the following developments were published in the Daily Record on November 6, 2018.)

11. ORD. 41652 – An ordinance to rezone the properties located at 4256 and 4260 Miami Street and 4253 Corby Street from R4(35)-Single-Family Residential District (High Density) to R4-Single-Family Residential District (High Density) – (First Reading October 30, 2018; Second Reading November 6, 2018; Third Reading, Public Hearing and Vote November 20, 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 11.

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

MOTION by Harding, SECOND by Pahls that ORDINANCE # 41652 be approved

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

12. ORD. 41653 – An ordinance to amend the boundaries of the ACI-1-Area of Civic Importance Overlay District to incorporate into that district the property located at 3040 Cuming Street – (First Reading October 30, 2018; Second Reading November 6, 2018; Third Reading, Public Hearing and Vote November 20, 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 12.

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

MOTION by Jerram, SECOND by Festersen that ORDINANCE # 41653 be approved

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

13. ORD. 41654 – An ordinance to rezone the property located at 5010 South 50th Street from DR-Development Reserve District to R4-Single-Family Residential District (High Density) – (First Reading October 30, 2018; Second Reading November 6, 2018; Third Reading, Public Hearing and Vote November 20, 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 13.

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

MOTION by Melton, SECOND by Gray that ORDINANCE # 41654 be approved

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

14. ORD. 41655 – An ordinance to rezone the properties located at 4339 Lake Street and 4143 Grant Street from R5(35)-Urban Family Residential District to R5-Urban Family Residential District – (First Reading October 30, 2018; Second Reading November 6, 2018; Third Reading, Public Hearing and Vote November 20, 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 14.

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

MOTION by Jerram, SECOND by Gray that ORDINANCE # 41655 be approved

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

15. ORD. 41656 – An ordinance to approve a PUR-Planned Unit Redevelopment Overlay District in an R4(35)-Single-Family Residential District (High Density), located at 2306 South 39th Street, to approve the Development Plan – (First Reading October 30, 2018; Second Reading November 6, 2018; Third Reading, Public Hearing and Vote November 20, 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 15.

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

MOTION by Jerram, SECOND by Gray that ORDINANCE # 41656 be approved

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

16. ORD. 41657 – An ordinance to amend the boundaries of the ACI-1-Area of Civic Importance Overlay District to incorporate into that district the property located at 555 North 30th Street – (First Reading October 30, 2018; Second Reading November 6, 2018; Third Reading, Public Hearing and Vote November 20, 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 16.

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

MOTION by Jerram, SECOND by Gray that ORDINANCE # 41657 be approved

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

LIQUOR

17. RES. 964 – Addition Application – Todorovich Management Company, dba “Starsky’s”, 7812 “F” Street, requests permission for an addition to their present Class “C” Liquor License location of an outdoor area approx. 40’ x 36’ to the south. Notice was posted on the property on 10/10/18; Notification was sent to property owners within 500 feet on 10/12/18 – [see attached](#). **(POSTPONED FROM OCTOBER 23, 2018 CITY COUNCIL MEETING, PUBLIC HEARING AND VOTE TODAY)**
- A. Communication from Michael Wilwerding, Chief Building Inspector – [see attached](#).
- B. Communication from Kristi Todorovich requesting to withdraw this application – [see attached](#).

Council President Gray opened the Public Hearing on Item 17.

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

MOTION by Jerram, SECOND by Harding that RESOLUTION # 964 be denied

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

18. RES. 1056 – Class “C/K” Liquor License Application – Arche Restaurant, L.L.C., dba “Mayne St Market”, 6207 Maple Street. (This is a new application for a new location). Notice was posted on the property on 11/05/18; Notification was sent to property owners within 500 feet on 11/09/18 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

Council President Gray opened the Public Hearing on Item 18.

The following person(s) appeared and spoke:

PROPONENTS:

Ben Taxman, 6207 Maple Street

Brian Zuerlein, 8229 Miami Street

Alex Freeman, 8229 Miami Street

David Meegan, 6004 Charles Street

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

MOTION by Festersen, SECOND by Harding that RESOLUTION # 1056 be approved

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

19. RES. 1057 – Class “C” Liquor License Application – Barks N Brews, LLC, dba “Barks N Brews”, 13730 “P” Street. (This is a new application for a new location). Notice was posted on the property on 11/05/18; Notification was sent to property owners within 500 feet on 11/09/18 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

Council President Gray opened the Public Hearing on Item 19.

The following person(s) appeared and spoke:

PROPOSERS:

Julia Plucker, Attorney for the applicant, 2804 South 87th Avenue

Steve Anderson, 4850 South 137th Street

Danielle Hargens, 717 South 113th Street

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

MOTION by Pahls, SECOND by Gray that RESOLUTION # 1057 be approved

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

City Clerk Elizabeth Butler stated that Items 20 and 21 would be considered together.

20. RES. 1058 – Class “C” Liquor License Application – The Jewell, LLC, dba “The Jewell”, 1030 Capitol Avenue. (This is a new application for a new location). Notice was posted on the property on 11/07/18; Notification was sent to property owners within 500 feet on 11/09/18 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

A. Communication from Chief Building Inspector – [see attached](#).

21. RES. 1059 – Class “E” Liquor License Application – The Jewell, LLC, dba “The Jewell”, 1030 Capitol Avenue. (This is a new application for a new location). Notice was posted on the property on 11/07/18; Notification was sent to property owners within 500 feet on 11/09/18 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

Council President Gray opened the Public Hearing on Items 20 and 21.

The following person(s) appeared and spoke:

PROPOSERS:

Julia Plucker, 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 the following items be approved contingent upon the outdoor area permits being obtained:

Item # 20 RESOLUTION # 1058; and, Item # 21 RESOLUTION # 1059

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

22. RES. 1060 – Class “I” Liquor License Application – Archery Games Omaha, LLC, dba “Archery Games Omaha”, 11106 “Q” Street. (This is a new application for a new location). Notice was posted on the property on 11/05/18; Notification was sent to property owners within 500 feet on 11/09/18 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

Council President Gray opened the Public Hearing on Item 22.

The following person(s) appeared and spoke:

PROPOSERS:

Harvey Leslie, 11106 Q Street

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

MOTION by Pahls, SECOND by Gray that RESOLUTION # 1060 be approved

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

23. RES. 1061 – Class “I” Liquor License Application – 1093R Investments, LLC, dba “Grown Folks”, 3713 North 24th Street. (This is a new application for a new location). Notice was posted on the property on 11/07/18; Notification was sent to property owners within 500 feet on 11/09/18 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

Council President Gray opened the Public Hearing on Item 23.

The following person(s) appeared and spoke:

PROPOSERS:

Grant Forsberg, Attorney for the applicant, 9802 Nicholas Street

George Robinson, 5416 Ida Street

OPPONENTS:

Shirley McPhaull, 2205 Pratt Street

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

MOTION by Melton, SECOND by Gray that RESOLUTION # 1061 be approved

ROLL CALL:

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

Nays: Jerram

MOTION APPROVED 6-1

24. RES. 1062 – Class “I” Liquor License Application – RamDas, LLC, dba “Rama Thai Restaurant”, 17903 Pierce Plaza. (This is a new application for an old location). Present licensee is AJ Hui, Inc., dba “Formasa Zen Asian Cuisine”, who has a Class “I” Liquor License – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

Council President Gray opened the Public Hearing on Item 24.

The following person(s) appeared and spoke:

PROPOSERS:

Cynthia Epstein, Attorney for the applicant, 11516 Nicholas Street

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

MOTION by Harding, SECOND by Melton that RESOLUTION # 1062 be approved

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

25. RES. 1063 – Class “D” Liquor License Application – Jack and Brothers, LLC, dba “Jack’s Discount Tobacco & Liquor”, 721 North 120th Street. (This is a new application for an old location). Present licensee is RIFS, Inc., dba “Jack’s Discount Tobacco & Liquor”, who has a Class “D” Liquor License – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

Council President Gray opened the Public Hearing on Item 25.

The following person(s) appeared and spoke:

PROPOSERS:

Max Mirzoev, 721 North 120th Street

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

MOTION by Melton, SECOND by Harding that RESOLUTION # 1063 be approved

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

26. RES. 1064 – Class D” Liquor License Application – Tamu, LLC, dba “Everest Gasmart”, 5188 Leavenworth Street. (This is a new application for an old location). UPGRADE. Presently holds a Class “B” License. Notice was posted on the property on 10/24/18; Notification was sent to property owners within 500 feet on 11/09/18 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
- A. Communication from the City Clerk regarding Conditions approved by the Omaha City Council June 27, 2017 – [see attached](#).
 - B. Communications in opposition – [see attached](#).
 - C. Communications in support – [see attached](#).

Council President Gray opened the Public Hearing on Item 26.

The following person(s) appeared and spoke:

PROPOSERS:

Frank Younes, Attorney for the applicant, 6919 Dodge Street
Netra Gurung, 5188 Leavenworth Street

OPPOSERS:

Jen Bauer, Aksarben-Elmwood Park Neighborhood Association, 5501 Leavenworth Street
Dave Schinzel, Dundee-Memorial Park Neighborhood Association, 319 South 50th Avenue

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

MOTION by Jerram, SECOND by Melton that RESOLUTION # 1064 be denied

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

27. RES. 1065 – Addition Application – Norish Enterprises, LLC, dba “Omaha Tap House”, 579-583 North 155th Plaza, requests permission for an addition to their present Class “I” Liquor License location of an outdoor area approx. 51’ x 26’ to the west. Notice was posted on the property on 11/05/18; Notification was sent to property owners within 500 feet on 11/09/18 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
- A. Communication in support – [see attached](#).
 - B. Communication in opposition – [see attached](#).

Council President Gray opened the Public Hearing on Item 27.

The following person(s) appeared and spoke:

PROPOSERS:

Naomi Burke, 17142 L Street
Brian Musser, 16123 Parker Street

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

MOTION by Melton, SECOND by Harding that RESOLUTION # 1065 be approved

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

28. RES. 1079 – Entertainment District Permit – Aksarben Entertainment District Promotional Association, 2285 South 67th Street, request permission for a permit for the Aksarben Entertainment District located East of 67th Street, North of Frances Street and North of Shirley Street – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

A. Communication in opposition (received during the meeting) – [see attached](#).

Council President Gray opened the Public Hearing on Item 28.

The following person(s) appeared and spoke:

PROPOSERS:

Jay Noddle, Noddle Companies, 2285 South 67th Street

Todd Swirczek, Noddle Companies, 2285 South 67th Street

Jen Bauer, Aksarben-Elmwood Park Neighborhood Association, 5501 Leavenworth Street

OPPOSERS:

Chris Wagner, Project Extra Mile, 11620 M Circle

Larry Storer, 5015 Lafayette Avenue

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

MOTION by Jerram, SECOND by Festersen that RESOLUTION # 1079 be approved

ROLL CALL:

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

Nays: None

Pass: Melton

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

MOTION APPROVED 6-0-1

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 29 through 32 were held on November 6, 2018.

(Required notices of the public hearings were published in the Daily Record on November 2, 2018.)

CONSENT AGENDA – ORDINANCES

29. ORD. 41649 – 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 2018 Edward Byrne Memorial Justice Assistance Grant (JAG) Program, Award #2018-DJ-BX-0171, in the amount of \$376,710.00, during the project period extending from October 1, 2017 to September 30, 2021; 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 October 30, 2018; Second Reading and Public Hearing November 6, 2018; Third Reading November 20, 2018) – [see attached](#).
30. ORD. 41650 – 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 2018 Violent Gang and Gun Crime Reduction Program (Project Safe Neighborhoods), Award #2018-DJ-BX-0012, in the amount of \$191,892.00, during the project period extending from October 1, 2018 to September 30, 2021; to provide funding for the reduction of gun and gang violence in Omaha and neighboring communities; 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 October 30, 2018; Second Reading and Public Hearing November 6, 2018; Third Reading November 20, 2018) – [see attached](#).
31. ORD. 41651 – An ordinance (1) to approve an agreement between the City of Omaha and Nebraska Preparedness Partnership in the amount of \$45,000.00 and (2) to authorize the funding for such agreement from the FY 2016 State Homeland Security Grant (SHSG) Award #EMW-2016-SS-APP-00084-S01, awarded by the Nebraska Emergency Management Agency, to provide enhanced security of critical infrastructure assets as prioritized by critical infrastructure operators through public-private partnerships, coordinated plan implementation, and resource management; 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 October 30, 2018; Second Reading and Public Hearing November 6, 2018; Third Reading November 20, 2018) – [see attached](#).
32. ORD. 41658 – An ordinance to approve an Interlocal Agreement between the City of Omaha and the Omaha Municipal Land Bank for additional funding of demolition of unfit and unsafe properties and the foreclosure of demolition liens through court proceedings – (First Reading October 30, 2018; Second Reading and Public Hearing November 6, 2018; Third Reading November 20, 2018) – [see attached](#).

MOTION by Festersen, SECOND by Jerram that the following items be approved:
Item # 29 ORDINANCE # 41649; Item # 30 ORDINANCE # 41650;
Item # 31 ORDINANCE # 41651; and, Item # 32 ORDINANCE # 41658

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

Council President Gray announced that the public hearings on Agenda Items 33 through 65 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

33. RES. 1066 – Manager’s Application – Biaggi’s Ristorante Italiano, LLC, dba “Biaggi’s Ristorante Italiano”, 13655 California Street requests permission to appoint Zachary J. Link manager of their present Class “CK” Liquor License location – [see attached](#).
34. RES. 1067 – Manager’s Application – C & K, Inc., dba “Cohen & Kelly’s Lounge”, 13075 West Center Road requests permission to appoint Sara E. Inness manager of their present Class “C” Liquor License location – [see attached](#).
35. RES. 1068 – Manager’s Application – Eagles Frat Order 154, 6607 Sunshine Drive requests permission to appoint Randall C. Lee manager of their present Class “C” Liquor License location – [see attached](#).
36. RES. 1069 – Manager’s Application – HHC TRS LC Portfolio, LLC, dba “Omaha Marriott Hotel”, 10220 Regency Circle requests permission to appoint Shana M. Johnson manager of their present Class “CK” Liquor License location – [see attached](#).
37. RES. 1070 – Manager’s Application – Oak Hills Country Club, 12325 Golfing Green Drive requests permission to appoint Brian J. Shields manager of their present Class “C” Liquor License location – [see attached](#).
38. RES. 1071 – Manager’s Application – Sam’s West, Inc., dba “Sam’s Club #8146”, 13130 “L” Street requests permission to appoint Stacy S. Garver manager of their present Class “C” Liquor License location – [see attached](#).
39. RES. 1072 – Manager’s Application – Summit Hotels, LLC, dba “Sheraton Omaha”, 655 North 108th Avenue requests permission to appoint Kenneth R. Gantz manager of their present Class “C” Liquor License location – [see attached](#).
40. RES. 1073 – Manager’s Application – Tangier Temple Holding Corp., dba “Bagdad Lounge”, 2823 South 84th Street requests permission to appoint William E. German manager of their present Class “C” Liquor License location – [see attached](#).

41. RES. 1074 – Manager’s Application – Trader Joe’s East, Inc., dba “Trader Joe’s #719”, 10305 Pacific Street requests permission to appoint Courtney J. LeVasseur manager of their present Class “C” Liquor License location – [see attached](#).
42. RES. 1075 – Manager’s Applications – M & C Management, LLC and 9th Street Joint Venture, LLC, dba “Local Beer, Patio & Kitchen”, 4909 South 135th Street and 902 Dodge Street requests permission to appoint Chadwick Fisher manager of their present Class “CG” Liquor License locations – [see attached](#).
43. RES. 1076 – Manager’s Application – Red Robin International, Inc., dba “Red Robin America’s Gourmet Burgers & Spirits”, 2627 South 180th Street requests permission to appoint Brian L. Frank manager of their present Class “I” Liquor License location – [see attached](#).
44. RES. 1077 – Manager’s Application – Trini, Inc., dba “Trini’s”, 1020 Howard Street requests permission to appoint Kelly Guarino manager of their present Class “I” Liquor License location – [see attached](#).
45. RES. 1080 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Sid Dillon Ford, Inc. in the amount of \$33,675.00 for the purchase of one (1) Chassis Cab (One Ton) to be utilized by the Traffic Maintenance Division in the amount of \$33,675.00. (The Finance Department is authorized to pay the cost of this purchase from the Street and Highway Allocation Fund 12131, Traffic Engineering Equipment Organization 116191, year 2018 funding.) – [see attached](#).
46. RES. 1081 – Res. that, as recommended by the Mayor, the contract with Mark VII Enterprises, Inc. for OPW 53418 in the amount of \$110,480.00 being the 19th and Capitol Avenue (Park 5) Employee Bathroom Installation, is hereby approved. (The Finance Department is authorized to pay the cost of \$110,480.00 from the Parking Revenue Fund 21116, Omaha Park Five Organization 116246, year 2018 expenditure.) – [see attached](#).
47. RES. 1082 – Res. that, as recommended by the Mayor, the contract with Hawkins Construction Company in the amount of \$486,513.69 for OPW 53194 being SID 6880, 164th Street Improvements – Poppleton Ave to Peterson Drive, is hereby approved. (The Finance Department is authorized to pay the cost of this project in the amount of \$486,513.69; with \$134,470.64 for necessary sanitary sewer work to be paid from the Sewer Revenue Improvements Fund 21124, Neighborhood Sewer Renovation Organization 116911, and the remaining \$352,043.05 for the street improvement work to be paid as follows: 50% of which will be paid for from the 2014 Transportation Bond Fund 13184, Organization 117117, as a part of Capital Improvements Program Project 1982T512, and the remaining 50% to be paid from the Capital Special Assessments Fund 13573.) – [see attached](#).

48. RES. 1083 – Res. that, as recommended by the Mayor, the bids with Charlie's Excavating, Inc., DPS, LLC, Gruhn Trucking, Inc. Leeway Trucking, Inc., Lyman-Richey Sand & Gravel Company, and Pink Grading, Inc., to furnish wheel loaders and snow hauling equipment services within the City of Omaha for the 2017-2018 winter season, are hereby accepted. (The Finance Department is authorized to pay the cost from the Street and Highway Allocation Fund 12131, Snow and Ice Control Organization 116154, year 2018 expenditure.) – [see attached](#).
49. RES. 1084 – Res. that, the speed limits be confirmed and/or established as follows: 67th Street from Pacific Street to Pine Street – 30 mph. Prior resolutions setting the boundaries and speed limits for specific areas to the contrary are hereby accordingly amended – [see attached](#).
50. RES. 1085 – Res. that, as recommended by the Mayor, the Professional Services Agreement with Emnet, LLC in the amount of \$99,900.00 to provide professional services on OPW 51781 being the CSO Control Implementation Project, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$99,900.00 from the Sewer Revenue Improvements Fund 21124, CSO Control Implementation Organization 116918, year 2018 expenditure.) – [see attached](#).
51. RES. 1086 – Res. that, the First Amendment to Subdivision Agreement among the City of Omaha, AVG-CFM 204Q, LLC, 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 Replat Ten (Lots 1-5 and Outlot A) and is located north of 205th Street and Coventry Drive – [see attached](#).
52. RES. 1087 – Res. that, the application of PJ Morgan Real Estate for a lease of City property adjacent to 4524 Farnam Street, Omaha, Nebraska for purposes of patio seating, as described on the application, be and hereby is approved, contingent upon continued compliance with all requirements made and provided by law; and the Finance Department is directed to issue a billing statement and a lease form to the applicant for execution and return – [see attached](#).
53. RES. 1088 – Res. that, the application of 44 Douglas Housing, LLC for a lease of City property adjacent to 4420 Douglas Street, Omaha, Nebraska for purposes of a stoop, stairs and ramp, as described on the application, be and hereby is approved, contingent upon continued compliance with all requirements made and provided by law; and the Finance Department is directed to issue a billing statement and a lease form to the applicant for execution and return – [see attached](#).
54. RES. 1089 – Res. that, the application of John Feddin for a lease of City property adjacent to 1122 Howard Street, Omaha, Nebraska for purposes of patio seating and a handicap ramp, as described on the application, be and hereby is approved, contingent upon continued compliance with all requirements made and provided by law; and the Finance Department is directed to issue a billing statement and a lease form to the applicant for execution and return – [see attached](#).

55. RES. 1090 – Res. that, the application of Children’s Hospital and Medical Center for a lease of City property adjacent to 8300 Dodge Street and 8404 Indian Hills Drive, Omaha, Nebraska for purposes of a skywalk (84th Street), as described on the application, be and hereby is approved, contingent upon continued compliance with all requirements made and provided by law; and the Finance Department is directed to issue a billing statement and a lease form to the applicant for execution and return – [see attached](#).
56. RES. 1101 – Res. that, the application of 406 South 12th Street LLC for a lease of City property adjacent to 406 South 12th Street, Omaha, Nebraska for purposes of new stairs, as described on the application, be and hereby is approved, contingent upon continued compliance with all requirements made and provided by law; and the Finance Department is directed to issue a billing statement and a lease form to the applicant for execution and return – [see attached](#).
57. RES. 1091 – Res. that, the Agreement, as recommended by the Mayor, between the City of Omaha and Family Housing Advisory Services, Incorporated, in the total amount of \$70,000.00 for counseling services to individuals and for families who qualify for and who are participating in the City sponsored loan programs for the period from January 1, 2018 through December 31, 2018, is hereby approved. (Funds shall be paid from the FY 2018 Community Development Block Grant, Housing Development Program, Fund 12186, and Organization 128072.) – [see attached](#).
58. RES. 1092 – Res. that, the Agreement, as recommended by the Mayor, between the City of Omaha and Omaha 100, Incorporated, in the total amount of \$60,000.00 for the provision of private mortgage financing and City second mortgage underwriting services through the Mortgage Lending Program for the period from January 1, 2018 through December 31, 2018, is hereby approved. (Funds shall be paid from the FY 2018 Community Development Block Grant, Housing Development Program, Fund 12186, and Organization 128072.) – [see attached](#).
59. RES. 1093 – Res. that, as recommended by the Mayor, the bid in the total amount of \$465,000.00 from Dostals Construction Co., Inc. to furnish all labor, materials and equipment necessary for the construction of the dog park improvements. The work includes but is not limited: new synthetic turf installation, concrete walkways, fencing and grading and seeding at Dewey Park, located at 550 Turner Blvd., 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, Project I.D. No. 1989P504.) – [see attached](#).
- A. Communication in support – [see attached](#).
60. RES. 1094 – Res. that, as recommended by the Mayor, the Resolution in the total amount of \$27,136.00 for Future Construction Specialties, LLC NMC, to furnish all labor, materials and equipment necessary for the construction of the concrete steps at Camelot Community Center, located at 9270 Cady Avenue, Omaha, Nebraska, for Parks, Recreation, and Public Property Department, is hereby approved. (The Finance Department is authorized to pay the total amount of \$27,136.00 from the 2014 Parks and Recreation Fund No. 13356 and Organization No. 117317, Parks and Culture Bond, Project I.D. No. 2010P507.) – [see attached](#).

61. RES. 1095 – Res. that, as recommended by the Mayor, approving the acceptance of the Fiscal Year 2017 Edward Byrne Memorial Justice Assistance Grant Program Award in the amount of \$82,895.00 from the Nebraska Crime Commission, subgrantee award number 17-DA-0310, for the project period of January 1, 2018 through December 31, 2018. The 2017 Edward Byrne Memorial Justice Assistance Grant will provide funding for the Omaha Police Department Operation Probation Check, Phase II, to reduce juvenile gang related crime and recidivism of juveniles on probation. (The Finance Department of the City of Omaha is authorized to disburse funds from the Edward Byrne Memorial Justice Assistance Grant Program Award.) – [see attached](#).
62. RES. 1096 – Res. that, as recommended by the Mayor, the agreement between the City of Omaha and Rejuvenating Women in the amount of \$40,000.00 to operate the Restores Wings Program from January 1, 2019 to December 31, 2019, and incorporated herein by this reference, and funding of such project, is hereby approved. (The Finance Director is authorized to provide payment of \$40,000.00 from 2019 Community Services, General Fund 11111, Organization 126073; and in accordance with the contract terms.) – [see attached](#).
63. RES. 1097 – Res. that, as recommended by the Mayor, the agreement between the City of Omaha and the Urban League of Nebraska in the amount of \$90,000.00 to operate the Youth Attendance Navigator Program from January 1, 2019 to December 31, 2019, and incorporated herein by this reference, and funding of such project, is hereby approved. (The Finance Director is authorized to provide payment of \$90,000.00 from 2019 Community Services, Keno/Lottery Proceeds 12118, Organization 126057; and in accordance with the contract terms.) – [see attached](#).
64. RES. 1098 – Res. that, as recommended by the Mayor, the agreement between the City of Omaha and the Women’s Center for Advancement in the amount of \$70,000.00 to operate the 24-Hour Crisis Line from January 1, 2019 to December 31, 2019, and incorporated herein by this reference, and funding of such project, is hereby approved. (The Finance Director is authorized to provide payment of \$70,000.00 from 2019 Community Services, General Fund 11111, Organization 126015; and in accordance with the contract terms – [see attached](#)).
65. RES. 1099 – Res. that, as recommended by the Mayor, the agreement between the City of Omaha and Youth Emergency Services (YES) in the amount of \$25,500.00 to operate the Mental Health Services Program at YES Street Outreach Center from January 1, 2019 to December 31, 2019, and incorporated herein by this reference, and funding of such project, is hereby approved. (The Finance Director is authorized to provide payment of \$25,500.00 from 2019 Community Services, General Fund 11111, Organization 129033; and in accordance with the contract terms.) – [see attached](#).

Council President Gray opened the Public Hearing on Items 33 through 65.

The following person(s) appeared and spoke:

PROPONENTS:

- Item # 34 – Sarah Inness, 13505 Marinda Street
- Item # 34 – Frank Vance, 11322 Frances Street

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

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

Item # 33 RESOLUTION # 1066;	Item # 34 RESOLUTION # 1067;
Item # 35 RESOLUTION # 1068;	Item # 36 RESOLUTION # 1069;
Item # 37 RESOLUTION # 1070;	Item # 38 RESOLUTION # 1071;
Item # 39 RESOLUTION # 1072;	Item # 40 RESOLUTION # 1073;
Item # 41 RESOLUTION # 1074;	Item # 42 RESOLUTION # 1075;
Item # 43 RESOLUTION # 1076;	Item # 44 RESOLUTION # 1077;
Item # 45 RESOLUTION # 1078;	Item # 46 RESOLUTION # 1081;
Item # 47 RESOLUTION # 1082;	Item # 49 RESOLUTION # 1083;
Item # 50 RESOLUTION # 1084;	Item # 51 RESOLUTION # 1085;
Item # 52 RESOLUTION # 1086;	Item # 53 RESOLUTION # 1088;
Item # 54 RESOLUTION # 1089;	Item # 55 RESOLUTION # 1090;
Item # 56 RESOLUTION # 1101;	Item # 57 RESOLUTION # 1091;
Item # 58 RESOLUTION # 1092;	Item # 59 RESOLUTION # 1093;
Item # 60 RESOLUTION # 1094;	Item # 61 RESOLUTION # 1095;
Item # 62 RESOLUTION # 1096;	Item # 63 RESOLUTION # 1097;
Item # 64 RESOLUTION # 1098; and,	Item # 65 RESOLUTION # 1099

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

RESOLUTION

66. RES. 983 – Res. that, the Courtyard on Park Townhomes Tax Increment Financing (TIF) Redevelopment Project Plan, for the redevelopment project site located at 1007 Park Avenue, proposes the construction of twelve new owner-occupied, market-rate townhome residential units, each with a two-stall garage, arranged in two separate structures with six units each, and authorizes the City's participation through the allocation of TIF in an amount up to \$584,778.00, plus accrued interest, to offset TIF eligible expenses including, but not limited to acquisition, environmental and geotechnical studies, architectural and engineering fees, alley improvements, and public improvements as required, with the applicant contributing \$15,000.00 of the TIF loan proceeds to the Midtown Public Improvement Fund, containing a provision for the division of ad valorem taxes as authorized by 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](#). **(PUBLIC HEARING AND VOTE TODAY)**

Council President Gray opened the Public Hearing on Item 66.

The following person(s) appeared and spoke:

PROPOSERS:

David Levy, Attorney for the applicant, 1700 Farnam Street
Alex Jensen, 6324 South 118th Street

FOR THE CITY:

Don Seten, Planning Department

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

MOTION by Jerram, SECOND by Festersen that RESOLUTION # 983 be approved

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

RESOLUTIONS – LEGISLATIVE PACKAGE

City Clerk Elizabeth Butler stated that the public hearings for Items 67 through 78 would be held together, and Items 73 through 77 would be considered together.

67. RES. 1025 – Res. that, at the request of the Mayor and City Councilmember Aimee Melton, the legislative package of the City of Omaha for the First Session of the One-Hundred and Sixth Legislature of the State of Nebraska shall introduce a bill to create an “Infrastructure Improvement and Replacement Assistance Act” using state sales tax turnback to help cities and public utilities – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
68. RES. 1027 – Res. that, at the request of the Mayor and City Councilmember Aimee Melton, the legislative package of the City of Omaha for the First Session of the One-Hundred and Sixth Legislature of the State of Nebraska shall introduce a bill to amend the State economic development assistance laws to allow Omaha to have a local option sales tax refund – level payment plan each month similar to utility bills – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
69. RES. 1028 – Res. that, at the request of the Mayor and Police Chief Schmaderer, the legislative package of the City of Omaha for the First Session of the One-Hundred and Sixth Legislature of the State of Nebraska shall introduce a bill to revise grand jury laws in the case of a person’s death while interacting with police to allow the final report to be released only AFTER any criminal charges are officially made and adjudicated – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
70. RES. 1029 – Res. that, at the request of the Mayor and the Omaha Police Department, the legislative package of the City of Omaha for the First Session of the One-Hundred and Sixth Legislature of the State of Nebraska shall introduce legislation to change the penalty for witness, jury, or evidence tampering from a Class IV felony to a Class II felony – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

71. RES. 1030 – Res. that, at the request of the Mayor and Finance Director Curtiss, the legislative package of the City of Omaha for the First Session of the One-Hundred and Sixth Legislature of the State of Nebraska shall introduce a bill to amend the “Ground Emergency Medical Transportation Act” to allow claims to be made as a Certified Public Expenditure or CPE – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
72. RES. 1031 – Res. that, at the request of the City Law Department, the legislative package of the City of Omaha for the First Session of the One-Hundred and Sixth Legislature of the State of Nebraska shall introduce a bill to establish a registry of Condominium officers with the County Clerk’s office for purposes of receiving official government notices and provide procedures – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
73. RES. 1026 – Res. that, at the request of City Councilmember Aimee Melton, the legislative package of the City of Omaha for the First Session of the One-Hundred and Sixth Legislature of the State of Nebraska shall support legislation, if introduced, to change the state statute to amend the “good time” law to require more post release monitoring in the form of probation or use of electronics – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
74. RES. 1032 – Res. that, at the request of City Councilmember Aimee Melton, the legislative package of the City of Omaha for the First Session of the One-Hundred and Sixth Legislature of the State of Nebraska shall support a bill, if introduced, to create a turnback program to assist with the redevelopment of Tranquility Park – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
75. RES. 1033 – Res. that, at the request of the City Councilmembers Aimee Melton and Pete Festersen, the legislative package of the City of Omaha for the First Session of the One-Hundred and Sixth Legislature of the State of Nebraska shall support legislation, if introduced, to help with mental health care assistance in the State of Nebraska to ease burden on police and local jails – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
76. RES. 1034 – Res. that, at the request of the City Councilmember Pete Festersen, the legislative package of the City of Omaha for the First Session of the One-Hundred and Sixth Legislature of the State of Nebraska shall support legislation, if introduced, to rewrite the state’s mental health commitment laws – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
77. RES. 1035 – Res. that, at the request of the Mayor, the legislative package of the City of Omaha for the First Session of the One-Hundred and Sixth Legislature of the State of Nebraska shall support legislation, if introduced, to expressly provide that online sales tax applies to all sales subject to state and local sales tax over a certain dollar amount and/or number of transactions and assure that local option sales tax continues to go to each appropriate municipality – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

78. RES. 1036 – Res. that, pursuant to the recommendation of the Law Committee of the City Council, the City Lobbyist, John A. “Jack” Cheloha, is hereby designated as the official lobbyist of the City of Omaha and its citizens before the Legislative, legislative committees and individual senators, and that all City employees are authorized to furnish information, reports, data and testimony before the Legislature, legislative committees and individual senators when deemed necessary or appropriate by the City Lobbyist when he is acting in his capacity as the official representative of the City – [see attached](#).
(PUBLIC HEARING AND VOTE TODAY)

Council President Gray opened the Public Hearing on Items 67 through 78.

The following person(s) appeared and spoke:

OPPONENTS:

Items # 75 and 76 – Larry Storer, 5015 Lafayette Avenue
Item # 75 – Luis Jimenez, 518 North 40th Street

FOR THE CITY:

Items # 67 through 78 – Jack Cheloha, City Lobbyist

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

MOTION by Melton, SECOND by Harding that RESOLUTION # 1025 be approved

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

MOTION by Melton, SECOND by Harding that RESOLUTION # 1027 be approved

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

MOTION by Melton, SECOND by Harding that RESOLUTION # 1028 be approved

ROLL CALL:

Yeas: Melton, Pahls, Palermo, Festersen, Harding

Nays: Jerram, Mr. President

MOTION APPROVED 5-2

MOTION by Melton, SECOND by Harding that RESOLUTION # 1029 be approved

ROLL CALL:

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

Nays: Jerram

MOTION APPROVED 6-1

MOTION by Melton, SECOND by Harding that RESOLUTION # 1030 be approved

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

MOTION by Melton, SECOND by Harding that RESOLUTION # 1031 be approved

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

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

Item # 73 RESOLUTION # 1026; Item # 74 RESOLUTION # 1032;

Item # 75 RESOLUTION # 1033; Item # 76 RESOLUTION # 1034;

Item # 77 RESOLUTION # 1035; and, Item # 78 RESOLUTION # 1036

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

ORDINANCES ON SECOND READING

79. ORD. 41662 – An ordinance to approve the Collective Bargaining Agreement for the years 2018, 2019, and 2020 between the City of Omaha and the Omaha City Employees, Local 251, American Federation of State, County and Municipal Employees, AFL-CIO; to provide that any ordinances of the City of Omaha, and any rules and regulations promulgated thereunder, which are in conflict with the provisions of the Collective Bargaining Agreement shall not be applicable to those employees in the Bargaining Unit described in Article 1, Section 1, of said Collective Bargaining Agreement; to provide authorization for the Mayor to execute and the City Clerk to attest her signature – (First Reading November 6, 2018; Second Reading and Public Hearing November 20, 2018; Third Reading December 4, 2018) – [see attached](#). **(PUBLIC HEARING TODAY)**

- A. Personnel Board recommends approval.

Council President Gray opened the Public Hearing on Item 79.

The following person(s) appeared and spoke:

PROPONENTS:

Mark McQueen, Baird Holm, 1700 Farnam Street

FOR THE CITY:

Andrew Brott, Finance Department

Tim Young, Human Resources Director

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

80. ORD. 41663 – An ordinance (1) to approve the acceptance of and authorize disbursement over more than one fiscal year from the Bureau of Justice Assistance, FY 2018 Criminal and Juvenile Justice and Mental Health Collaboration Program Grant, Award #2018-MO-BX-0004 in the amount of \$690,240.00, during the project period of January 1, 2019 to December 31, 2021; to build the Heartland Crisis Intervention Team’s (CIT) capacity to comprehensively respond to people with mental illnesses in the Omaha metro area; to authorize payment from such grant funding and involving appropriations of more than one fiscal year in conformity with Section 5.17 of the Home Rule Charter – (First Reading November 6, 2018; Second Reading and Public Hearing November 20, 2018; Third Reading December 4, 2018) – [see attached](#). **(PUBLIC HEARING TODAY)**

Council President Gray opened the Public Hearing on Item 80.

The following person(s) appeared and spoke:

PROPONENTS:

Shayna Ray, Lutheran Family Services, 120 South 24th Street

Lindsey Kroll, Lutheran Family Services, 2661 Douglas Street

OPPONENTS:

Luis Jimenez, 518 North 40th Street

Larry Storer, 5015 Lafayette Avenue

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

81. ORD. 41664 – An ordinance to amend Section 3 of Ordinance No. 41152 adopted May 16, 2017 to change the effective date for applications under the Nebraska Property Assessed Clean Energy Act (PACE) program – (First Reading November 6, 2018; Second Reading and Public Hearing November 20, 2018; Third Reading December 4, 2018) – [see attached](#). **(PUBLIC HEARING TODAY)**

Council President Gray opened the Public Hearing on Item 81.

The following person(s) appeared and spoke:

FOR THE CITY:

Kevin Andersen, Mayor’s Office

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

LOCAL LANDMARK DESIGNATION APPEAL

82. RES. 1100 – Lucy Franks, appeals the denial of her Certificate of Approval by the Landmarks Heritage Preservation Committee – [see attached](#). **(MOTION NEEDED TO ALLOW OR DENY THE APPEAL, IF ALLOWED, DIRECT THE DEPARTMENT ACCORDINGLY)**

- A. Communication in opposition (received during the meeting) – [see attached](#).
- B. Communication in support (received during the meeting) – [see attached](#).

Council President Gray opened the Public Hearing on Item 82.

The following person(s) appeared and spoke:

PROPOSERS:

Lawrence Whelan, Attorney, 3138 Cuming Street
Hanna Solberg, 7731 Hamilton Street
Lucy Franks, 3411 Hawthorne Avenue
Brian Wanzneried, 5205 Cass Street

OPPOSERS:

Mary Minturn, 3416 Hawthorne Avenue
Joan Fogarty, Landmarks Heritage Preservation Committee, 521 North 38th Street

FOR THE CITY:

Jed Moulton, Planning Department

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

MOTION by Jerram, SECOND by Harding that the appeal be allowed for the fourteen windows on the porch and denied for the four windows on the house, and that the application be referred to the Landmarks Heritage Preservation Committee and the Planning Department for review and approval of appropriate windows for the house

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

SUPPLEMENT TO THE CITY COUNCIL AGENDA FOR NOVEMBER 20, 2018

ADDITIONAL RESOLUTION

128. RES. 1102 – Res. that, as recommended by the Mayor, the easement and construction agreement with Union Pacific Railroad, in the amount of \$29,120.00 for Project BR-5026 (11), State Control No. 22325, and OPW 51461, being the 26th and Q Street Bridge Replacement project, is hereby approved. (Being paid as a part of Capital Improvement Program Project 2008T105 from the 2018 Transportation Bond Fund 13185, Organization 117117.) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

Council President Gray opened the Public Hearing on Item 128.

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

MOTION by Melton, SECOND by Harding that RESOLUTION # 1102 be approved

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

NON-ACTION ITEMS

(Items 83 through 126 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 NOVEMBER 27, 2018 DUE TO THE THANKSGIVING HOLIDAY)

PLAZA 133

83. ORD. 41659 – An ordinance to rezone property north of 101st Street and Blair High Road from GI-General Industrial District, GC-General Commercial District, MH-Mobile Home Residential District, and DR-Development Reserve District to DR-Development Reserve District (portions of the property are located within the FW-Floodway Overlay District and FF-Flood Fringe Overlay District) – (First Reading November 6, 2018; **Second Reading November 20, 2018**; Third Reading, Public Hearing and Vote December 4, 2018) – [see attached](#).

84. ORD. 41660 – An ordinance to rezone property north of 101st Street and Blair High Road from GI-General Industrial District, GC-General Commercial District, MH-Mobile Home Residential District, and DR-Development Reserve District to GI-General Industrial District (portions of the property are located within the FW-Floodway Overlay District and FF-Flood Fringe Overlay District) – (First Reading November 6, 2018; **Second Reading November 20, 2018**; Third Reading, Public Hearing and Vote December 4, 2018) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
85. ORD. 41661 – An ordinance to amend the boundaries of the IG-Industrial Gateway Overlay District, to incorporate into that district the property located north of 101st Street and Blair High Road – (First Reading November 6, 2018; **Second Reading November 20, 2018**; Third Reading, Public Hearing and Vote December 4, 2018) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
86. RES. 992 – Res. that, the Final Plat transmitted herewith entitled Plaza 133, a subdivision outside the city limits, located north of 101st Street and Blair High Road, is hereby approved, and concurrently a portion of the existing plats entitled Cherry Hills Business Park Replat 2 and Cherry Hills Business Park Replat 7, and described on said replat, are hereby vacated. The applicant is RL Development LLC – Outside City Limits – [see attached](#). **(LAID OVER TO THE DECEMBER 4, 2018 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 83 AND TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
87. RES. 993 – Res. that, the Subdivision Agreement among the City of Omaha, RL Development, LLC, The Plaza 133 Owners Association, Inc., and Sanitary and Improvement District (S.&I.D.) 413 of Douglas County, Nebraska, as recommended by the Mayor, is hereby approved. The Subdivision is to be known as Plaza 133 (Lots 1-9 and Outlots A-D) and is located north of 101st Street and Blair High Road – [see attached](#). **(LAID OVER TO THE DECEMBER 4, 2018 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 83)**

THE RIDGES REPLAT 15

88. ORD. 41677 – An ordinance to rezone property located south of Shadow Ridge Drive and east of 186th Street from DR-Development Reserve District to R4-Single-Family Residential District (High Density) – (**First Reading November 20, 2018**; Second Reading December 4, 2018; Third Reading, Public Hearing and Vote December 11, 2018) – [see attached](#).
89. ORD. 41678 – An ordinance to rezone property located south of Shadow Ridge Drive and east of 186th Street from DR-Development Reserve District to DR-Development Reserve District – (**First Reading November 20, 2018**; Second Reading December 4, 2018; Third Reading, Public Hearing and Vote December 11, 2018) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).

90. RES. 1043 – Res. that, the Preliminary Plat entitled The Ridges Replat 15, located south of Shadow Ridge Drive and east of 186th Street, along with the conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized. The applicant is Justin Shanahan – Inside City Limits – [see attached](#). **(LAID OVER TO THE DECEMBER 11, 2018 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 88 AND TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**

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

91. RES. 1044 – Res. that, the Final Plat entitled The Ridges Replat 15, located south of Shadow Ridge Drive and east of 186th Street, is hereby approved and accepted. The applicant is Justin Shanahan – Inside City Limits – [see attached](#). **(LAID OVER TO THE DECEMBER 11, 2018 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 88 AND TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**

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

BRIGGS PLACE

92. ORD. 41682 – An ordinance to approve a PUR-Planned Unit Redevelopment Overlay District in a R8-High-Density Multiple-Family Residential District (property is also located within an ACI-1(PL) Overlay District) located northwest of 44th and Douglas Streets, to approve the Development Plan – (**First Reading November 20, 2018**; Second Reading December 4, 2018; Third Reading, Public Hearing and Vote December 11, 2018) – [see attached](#).

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

93. RES. 1047 – Res. that, the Preliminary Plat entitled Briggs Place Replat 8, located northwest of 44th and Douglas Streets, along with the conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized. The applicant is 44 Douglas Housing LLC – Inside City Limits – [see attached](#). **(LAID OVER TO THE DECEMBER 11, 2018 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 92 AND TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**

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

94. RES. 1048 – Res. that, the Final Plat entitled Briggs Place Replat 8, located northwest of 44th and Douglas Streets, is hereby approved and accepted. The applicant is 44 Douglas Housing LLC – Inside City Limits – [see attached](#). **(LAID OVER TO THE DECEMBER 11, 2018 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 92 AND TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**

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

95. RES. 1049 – Res. that, the Subdivision Agreement between the City of Omaha and 44 Douglas Housing LLC, as recommended by the Mayor, is hereby approved. The Subdivision is to be known as Briggs Place (Lot 1) and is located northwest of 44th and Douglas Streets – [see attached](#). **(LAID OVER TO THE DECEMBER 11, 2018 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 92)**

WEST CENTER VILLAGE

96. ORD. 41679 – An ordinance to rezone property located southeast of 204th Street and West Center Road from AG-Agricultural District to MU-Mixed Use District – **(First Reading November 20, 2018; Second Reading December 4, 2018; Third Reading, Public Hearing and Vote December 11, 2018)** – [see attached](#).

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

97. RES. 1045 – Res. that, the Final Plat entitled West Center Village (formerly West Center Commons), located southeast of 204th Street and West Center Road, is hereby approved and accepted. The applicant is Woodsonia-204 Center, LLC – Outside City Limits – [see attached](#). **(LAID OVER TO THE DECEMBER 11, 2018 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 96 AND TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**

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

98. RES. 1046 – Res. that, the Subdivision Agreement among the City of Omaha, Woodsonia-204 Center, LLC, The West Center Village Owners Association, and Sanitary and Improvement District (S.&I.D.) 596 of Douglas County, Nebraska, as recommended by the Mayor, is hereby approved. The Subdivision is to be known as West Center Village (Lots 1-8 and Outlots A-B) and is located southeast of 204th Street and West Center Road – [see attached](#). **(LAID OVER TO THE DECEMBER 11, 2018 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 96)**

99. ORD. 41680 – An ordinance to approve a Mixed Use District Development Agreement for property located southeast of 204th Street and West Center Road between the City of Omaha and Woodsonia-204 Center, LLC, providing site development standards – **(First Reading November 20, 2018; Second Reading December 4, 2018; Third Reading, Public Hearing and Vote December 11, 2018)** – [see attached](#).

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

PEACEFUL OAKS

100. ORD. 41684 – An ordinance to rezone property located north of North Crest Drive and west of North Post Road from DR-Development Reserve District to R1-Single-Family Residential District (Large lot) (property is located within an ED-Environmental Resources Overlay District) – **(First Reading November 20, 2018; Second Reading December 4, 2018; Third Reading, Public Hearing and Vote December 11, 2018)** – [see attached](#).

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

101. RES. 1052 – Res. that, the Preliminary Plat entitled Peaceful Oaks, a minor plat outside the city limits, located north of North Crest Drive and west of North Post Road, along with the conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized. The applicant is Sean Negus – Outside City Limits – [see attached](#). **(LAID OVER TO THE DECEMBER 11, 2018 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 100 AND TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
102. RES. 1053 – Res. that, the Final Plat entitled Peaceful Oaks, located north of North Crest Drive and west of North Post Road, is hereby approved and accepted. The applicant is Sean Negus – Outside City Limits – [see attached](#). **(LAID OVER TO THE DECEMBER 11, 2018 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 100 AND TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
103. RES. 1054 – Res. that, the Special Use Permit application submitted by Sean Negus, for a Special Use Permit to allow development in the North Hills Environmental Resources Overlay District located north of North Crest Drive and west of North Post Road, 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 referenced 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 DECEMBER 11, 2018 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 100 AND TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
104. RES. 1055 – Res. that, the Subdivision Agreement between the City of Omaha and Daryll and Theresa Beckenhauer, husband and wife, as recommended by the Mayor, is hereby approved. The Subdivision is to be known as Peaceful Oaks (Lot 1) and is located north of North Crest Drive and west of North Post Road – [see attached](#). **(LAID OVER TO THE DECEMBER 11, 2018 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 100)**

PLANNING ORDINANCES ON FIRST READING WITH PLANNING BOARD ATTACHMENTS

105. ORD. 41672 – An ordinance to rezone the property located at 3214 L Street from R4(35)-Single-Family Residential District (High Density) to CC-Community Commercial District – **(First Reading November 20, 2018; Second Reading December 4, 2018; Third Reading, Public Hearing and Vote December 11, 2018)** – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).

106. ORD. 41673 – An ordinance to amend the boundaries of the MCC-Major Commercial Corridor Overlay District, to incorporate into that district the property located at 3214 L Street – (**First Reading November 20, 2018**; Second Reading December 4, 2018; Third Reading, Public Hearing and Vote December 11, 2018) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
107. ORD. 41674 – An ordinance to amend the boundaries of the MCC-Major Commercial Corridor Overlay District, to incorporate into that district the property located at 6010 North 49th Street – (**First Reading November 20, 2018**; Second Reading December 4, 2018; Third Reading, Public Hearing and Vote December 11, 2018) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
108. ORD. 41675 – An ordinance to rezone property located at 3723 South 16th Street from R4(35)-Single-Family Residential District (High Density) to R4-Single-Family Residential District (High Density) – (**First Reading November 20, 2018**; Second Reading December 4, 2018; Third Reading, Public Hearing and Vote December 11, 2018) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
109. ORD. 41676 – An ordinance to amend the boundaries of the MCC-Major Commercial Corridor Overlay District, to incorporate into that district the property located at 5646 North 90th Street – (**First Reading November 20, 2018**; Second Reading December 4, 2018; Third Reading, Public Hearing and Vote December 11, 2018) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
110. ORD. 41681 – An ordinance to rezone the property located east of 216th Street and Greenbrier Drive from AG-Agricultural District to R2-Single-Family Residential District (Low-Density) – (**First Reading November 20, 2018**; Second Reading December 4, 2018; Third Reading, Public Hearing and Vote December 11, 2018) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
111. ORD. 41683 – An ordinance to rezone the property located southeast and southwest of 22nd Street and Willis Avenue from R4-Single-Family Residential District (High Density) and GC-General Commercial District to R4-Single-Family Residential District (High Density) – (**First Reading November 20, 2018**; Second Reading December 4, 2018; Third Reading, Public Hearing and Vote December 11, 2018) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).

RESOLUTION

COURTYARD ON PARK

112. RES. 1050 – Res. that, the Preliminary Plat entitled Courtyard on Park, located at 1007 Park Avenue, along with the conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized. The applicant is Larry Jensen – Inside City Limits – [see attached](#). **(LAID OVER TO THE DECEMBER 4, 2018 CITY COUNCIL MEETING TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).

SPECIAL USE PERMIT

113. RES. 1051 – Res. that, the Special Use Permit application submitted by NY Auto Sales, for a Special Use Permit to allow automobile sales in a GC-General Commercial, located northwest of 71st and Blondo Streets, 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 referenced application, conditions set out in Exhibit "B", and all applicable local or state statutes, ordinances or regulations are complied with. The proposed Special Use Permit has been reviewed and evaluated pursuant to, and meets each of, the criteria set forth in Section 55-885 of the Omaha Municipal Code – [see attached](#). **(LAID OVER TO THE DECEMBER 4, 2018 CITY COUNCIL MEETING TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).

ORDINANCES ON FIRST READING

114. SPECIAL ORD. 10239 – An ordinance levying a special tax and assessment on all lots and pieces of real estate within Street Improvement District (SID) 6879, in the City of Omaha, to cover the cost of constructing and improving Leavenworth Street, from 93rd Street to 94th Street, in Portland cement concrete – **(First Reading November 20, 2018; Second Reading and Public Hearing December 4, 2018; Third Reading December 11, 2018)** – [see attached](#).
115. ORD. 41665 – An ordinance to designate the Automobile Sales Building & Army Corps Laboratory (ASB) located at 420 South 18th Street as a landmark pursuant to the Landmark Heritage Preservation Ordinance of the City of Omaha – **(First Reading November 20, 2018; Second Reading and Public Hearing December 4, 2018; Third Reading December 11, 2018)** – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).

116. ORD. 41666 – An ordinance to approve an Inter-local Agreement between the City of Bennington and the City of Omaha regarding an adjustment to the extraterritorial jurisdiction lines and the associated Master Plan amendments, generally located north of Military Road, between 138th Street and 180th Street; providing for the continuity of platting and zoning regulations; providing for the transition of zoning and subdivision jurisdictional limits; utilizing the City’s Planning Department and Permits and Inspections Bureau – (**First Reading November 20, 2018**; Second Reading and Public Hearing December 4, 2018; Third Reading December 11, 2018) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
117. ORD. 41671 – An ordinance to amend the official records, logs, and plats of the City of Omaha in accordance with Chapter 27 and 34 of the Omaha Municipal Code to provide for the following changes in street names: 169th Street changes to 170th Avenue, from Crown Pointe Avenue, Northwest to the North line of Lot 28, Pier 15 Addition – (**First Reading November 20, 2018**; Second Reading and Public Hearing December 4, 2018; Third Reading December 11, 2018) – [see attached](#).
118. ORD. 41686 – An ordinance to continue the ongoing maintenance of portions of Abbott Drive by Lanoha Nurseries, in accordance with the original intensions of the Peter Kiewit Foundation in their donation for this project, dated May 2000. The City entered into an amended Grant Agreement with the Kiewit Foundation, which made a grant of approximately \$325,000.00 to the City for the maintenance of plantings along portions of Abbott Drive, contingent upon the City utilizing Lanoha Nurseries for the maintenance of these areas. Subsequently, the funds of the Foundation’s original grant have been exhausted in providing such maintenance. Therefore, the purpose of this Ordinance is to approve the Agreement to keep the original intent of the Foundation’s grant to have Lanoha Nurseries continue to maintain plantings along portions of Abbott Drive while being reviewed, approved and funded by the City going forward. This Agreement specifies the terms and conditions for such maintenance services between the City and Lanoha Nurseries for portions of Abbott Drive through 2027 – (**First Reading November 20, 2018**; Second Reading and Public Hearing December 4, 2018; Third Reading December 11, 2018) – [see attached](#).
119. ORD. 41667 – An ordinance to accept the quote from Body Basics, Inc., involving the payment of money from appropriations of more than one year in accordance with Section 5.17 of the Home Rule Charter of the City of Omaha, 1956, as amended; to enter into a three-year price agreement for the maintenance and repair of exercise equipment at Omaha Police Department facilities – (**First Reading November 20, 2018**; Second Reading and Public Hearing December 4, 2018; Third Reading December 11, 2018) – [see attached](#).
120. ORD. 41668 – An ordinance to amend Section 10-242 of the Omaha Municipal Code to provide for the payment of subsistence expenses when a person engaged in City business travels by airplane and is absent for a significant portion of a day; to increase the amount that a City official or employee may receive for in lieu of mileage from \$50.00 to \$75.00 per month – (**First Reading November 20, 2018**; Second Reading and Public Hearing December 4, 2018; Third Reading December 11, 2018) – [see attached](#).

121. ORD. 41669 – An ordinance to approve the acceptance of and authorize the disbursement from the FY 2018 State Homeland Security Grant (SHSG) Award #EMW-2018-SS-00037-S01, and budget in the amount of \$843,058.00 from the Nebraska Emergency Management Agency (NEMA), during the award period of September 1, 2018 through August 31, 2021, to provide first responder and emergency management agencies in Douglas, Sarpy, and Washington Counties with enhanced capabilities to prevent, protect against, mitigate, respond to, and recover from manmade threats and natural disasters; 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 November 20, 2018**; Second Reading and Public Hearing December 4, 2018; Third Reading December 11, 2018) – [see attached](#).
122. ORD. 41670 – An ordinance providing for approval of a twenty-year Lease Agreement between the City of Omaha and METRO, the Transit Authority of the City, for the placement, installation, use, and maintenance of Bus Rapid Transit (“BRT”) stations on city-owned property; lease payments shall be made to the City in conformance with O.M.C Section 3-97 – (**First Reading November 20, 2018**; Second Reading and Public Hearing December 4, 2018; Third Reading December 11, 2018) – [see attached](#).
123. ORD. 41685 – An ordinance to approve and authorize the execution of an Amendment to Agreement ("Amendment") between the City of Omaha, and the Omaha Zoological Society, amending an Agreement dated the 8th day of September, 1964, involving the payment of money from appropriations of more than one year in accordance with Section 5.17 of the Home Rule Charter of the City of Omaha, 1956, as amended; to provide for the payment to the Omaha Zoological Society for the calendar years, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029 and 2030 (the "Amendment Term") for services rendered to the City of Omaha for the improvement and operation of the Henry Doorly Zoo (the "Zoo") – (**First Reading November 20, 2018**; Second Reading and Public Hearing December 4, 2018; Third Reading December 11, 2018) – [see attached](#).
124. ORD. 41687 – An ordinance to approve a Restated Memorandum of Agreement between the Professional Firefighters Association of Omaha, Local 385 and the City of Omaha concerning Health Care Trust Establishment for a period of January 1, 2019 to December 31, 2023; to provide that any Ordinance of the City of Omaha, and any rules and regulations promulgated therein, which are in contract with the provisions of the Restated Memorandum shall not be applicable to those employees in the identified bargaining unit – (**First Reading November 20, 2018**; Second Reading and Public Hearing December 4, 2018; Third Reading December 11, 2018) – [see attached](#).
125. ORD. 41688 – An ordinance to approve an amendment to the CDBG Program deferred payment loan agreement between the City of Omaha and Livestock Exchange Building Limited Liability Company – (**First Reading November 20, 2018**; Second Reading and Public Hearing December 4, 2018; Third Reading December 11, 2018) – [see attached](#).
126. ORD. 41647 – An ordinance approving a Redevelopment Agreement by and between the City of Omaha and Noddle Development Company, LLC, and its successors or assigns, for the redevelopment of various properties within The Builder’s District at NoDo Redevelopment Plan Area generally bounded by Cuming Street on the north, 14th Street on the east, Cass and Burt Streets generally on the south and 22nd Street on the west – (**First Reading November 20, 2018**; Second Reading and Public Hearing December 4, 2018; Third Reading December 11, 2018) – [see attached](#).

EXECUTIVE SESSION

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

Nays: None

MOTION APPROVED 7-0

MEETING ADJOURNED AT: 4:52 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 November 20, 2018.

WITNESS:

s/Talia Smith

Talia Smith, Senior Administrative Clerk

CITY CLERK:

s/Elizabeth Butler

Elizabeth Butler