



JOURNAL RECORD

CITY OF OMAHA CITY COUNCIL MEETING

TUESDAY, JANUARY 8, 2019

@ 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, January 8, 2019 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 Festersen, Harding, Jerram, Melton, Pahls, Palermo, Mr. President (Gray) – **CCID # 2019-01.**

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

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

CERTIFICATION OF PUBLICATION – NOTIFICATION OF OPEN MEETING ACT

City Clerk Elizabeth Butler certified publication in the Daily Record, the Official Newspaper of the City of Omaha, on January 4, 2019, notice of the Pre-Council and Regular City Council Meetings, January 8, 2019 – **CCID # 2019-02.**

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

WEST CENTER VILLAGE

City Clerk Elizabeth Butler stated that Items 6 through 9 relate to the same project and that 6 through 8 would be considered together.

6. 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 January 8, 2019) – [see attached](#). **(VOTE TODAY, POSTPONED FROM THE DECEMBER 11, 2018 CITY COUNCIL MEETING)**
 - A. Planning Board and Planning Department recommend approval – [see attached](#).

7. 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](#). **(VOTE TODAY, POSTPONED FROM THE DECEMBER 11, 2018 CITY COUNCIL MEETING)**
 - A. Planning Board and Planning Department recommend approval – [see attached](#).
 - B. Communication in opposition – [see attached](#).
 - C. Documentation received from Tom Monaghan during the meeting – [see attached](#).

8. 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](#). **(VOTE TODAY, POSTPONED FROM THE DECEMBER 11, 2018 CITY COUNCIL MEETING)**

**MOTION by Harding, SECOND by Melton that the following items be approved:
Item # 6 ORDINANCE # 41679; Item # 7 RESOLUTION # 1045; and,
Item # 8 RESOLUTION # 1046**

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

9. 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 January 8, 2019) – [see attached](#). **(VOTE TODAY, POSTPONED FROM THE DECEMBER 11, 2018 CITY COUNCIL MEETING)**

- A. Planning Board and Planning Department recommend approval – [see attached](#).
- B. Amendment proposed by the Developer (Exhibit B-7 – Lot 7 Development Plan) – [see attached](#).
- C. Amendment proposed by the Developer (Exhibit B-8 – Lot 8 Development Plan) – [see attached](#).
- D. Amendment proposed by the Developer (Exhibit B – Development Plan) – [see attached](#).

MOTION by Harding, SECOND by Melton that ORDINANCE # 41680 be amended by Amendments B, C, and D

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

MOTION by Harding, SECOND by Melton that ORDINANCE # 41680 be approved as amended

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

SAGEWOOD RIDGE

City Clerk Elizabeth Butler stated that Items 10 and 11 relate to the same project and would be considered together.

10. RES. 2019-23 – Res. that, the request of Loren Johnson, Celebrity Homes Omaha, 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 180th and Fort Streets and in conjunction with the proposed Sagewood Ridge subdivision plat, is hereby approved – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

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

11. RES. 2019-24 – Res. that, the Preliminary Plat entitled Sagewood Ridge, a subdivision outside the city limits, located northwest of 180th 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 Loren Johnson, Celebrity Homes Omaha – 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 10 and 11.

The following person(s) appeared and spoke:

PROPONENTS:

Mark Johnson, 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 # 10 RESOLUTION # 2019-23; and, Item # 11 RESOLUTION # 2019-24**

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

WATERFORD CROSSING REPLAT 27

12. RES. 2019-25 – Res. that, the Preliminary Plat entitled Waterford Crossing Replat 27, a subdivision outside the city limits, located northeast of 156th 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 Dragon Storage, 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 Item 12.

The following person(s) appeared and spoke:

PROPOSERS:

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

FOR THE CITY:

Dave Fanslau, Planning Director

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

MOTION by Melton, SECOND by Harding that RESOLUTION # 2019-25 be approved

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

MEADOR MEADOWS REPLAT 1

City Clerk Elizabeth Butler stated that Items 13 and 14 relate to the same project and would be considered together.

13. RES. 2019-26 – Res. that, the Preliminary Plat entitled Meador Meadows Replat 1, a minor plat outside the city limits, located at 7633 Dutch Hall Road, along with the conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized. The applicant is Emily Meador – Outside City Limits – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

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

14. RES. 2019-27 – Res. that, the Final Plat transmitted herewith entitled Meador Meadows Replat 1, a minor plat outside the city limits, located at 7633 Dutch Hall Road, is hereby approved, and concurrently a portion of the existing plat entitled Meador Meadows, and described on said replat, is hereby vacated. The applicant is Emily Meador – 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 13 and 14.

The following person(s) appeared and spoke:

PROPOSERS:

Douglas Dreessen, 10836 Old Mill 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 # 13 RESOLUTION # 2019-26; and, Item # 14 RESOLUTION # 2019-27**

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

FALLING WATERS NORTH

15. RES. 2019-28 – Res. that, the Preliminary Plat entitled Falling Waters North, a subdivision outside the city limits, located south of HWS Cleveland Boulevard and west of 198th Street, along with the conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized. The applicant is Gretna 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 Item 15.

The following person(s) appeared and spoke:

PROPONENTS:

Brian Emmerich, DLR Group, 2129 South 39th Street

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

MOTION by Harding, SECOND by Gray that RESOLUTION # 2019-28 be approved

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

PLANNING ORDINANCES ON FINAL READING WITH PLANNING BOARD ATTACHMENTS

City Clerk Elizabeth Butler stated that Items 16 and 17 relate to the same project and would be considered together.

16. 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 January 8, 2019) – [see attached](#). **(VOTE TODAY, POSTPONED FROM DECEMBER 11, 2018 MEETING)**

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

17. 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 January 8, 2019) – [see attached](#). **(VOTE TODAY, POSTPONED FROM DECEMBER 11, 2018 MEETING)**

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

**MOTION by Palermo, SECOND by Festersen that the following items be approved:
Item # 16 ORDINANCE # 41672; and, Item # 17 ORDINANCE # 41673**

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

SPECIAL USE PERMIT

(Required notice of the public hearing relating to this development was published in the Daily Record on December 25, 2018.)

18. RES. 1151 – Res. that, the Special Use Permit application submitted by Render Group LLC dba Comfort Care for a Special Use Permit to allow Large group living in a R1-Single Family Residential District (Large Lot), located at 2315 South 168th 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. 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](#). **(PUBLIC HEARING AND VOTE TODAY)**

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

Council President Gray opened the Public Hearing on Item 18.

The following person(s) appeared and spoke:

PROPONENTS:

Erin Render, 17113 Lakewood Drive, Bellevue, NE

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

MOTION by Harding, SECOND by Gray that RESOLUTION # 1151 be approved

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

TAX INCREMENT FINANCING (TIF) REDEVELOPMENT PROJECT PLAN RESOLUTIONS

(Required notices of the public hearing relating to the following development were published in the Daily Record and the Omaha World-Herald on December 6, 2018 and December 13, 2018.)

19. RES. 1118 – Res. that, the Ainsworth and Beverly Apartments Tax Increment Financing (TIF) Redevelopment Project Plan, for the redevelopment project site located at 2230 and 2236 Jones Street, proposes a complete renovation of two historic buildings resulting in a total of 33 one-bedroom, market-rate apartment units, and authorizes the City’s participation through the allocation of TIF in an amount up to \$285,000.00, plus accrued interest, to offset TIF eligible expenses including, but not limited to acquisition, environmental and geotechnical studies, building rehabilitation, architectural and engineering fees, and public improvements as required, 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)**

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

Council President Gray opened the Public Hearing on Item 19.

The following person(s) appeared and spoke:

PROPONENTS:

David Paladino, 2702 Douglas Street

OPPONENTS:

Mark Vondrasek, Omaha Tenants United, 211 South 37th Street

Sabir Rashad, 2520 South 10th Street

Hannah Wyble, Restoring Dignity, 2532 South 88th Street

Angie Salahou, 3082 Martin Avenue

Rosie Volkmer, 2539 North 55th Street

Gloria Austerberry, Omaha Together One Community, 5036 Pinkney Street

Lucas Perez-Leahy, Omaha Tenants United, 2970 Pacific Street

Brianna Walker, 1121 North 48th Street

Courtney Wismont, 4516 Spencer Street

Jack Dunn, 1214 North 34th Street

Jim Posey, 19710 Marcy Circle

Ella Gamblin, 4502 North 49th Street

Larry Storer, 5015 Lafayette

Luis Jimenez, 320 North 40th Street

Joey Sechrist, 6220 North 30th Street

FOR THE CITY:

Don Seten, Planning Department

Dave Fanslau, Planning Director

Paul Kratz, City Attorney

Scott Lane, Planning Department

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

MOTION by Festersen, SECOND by Gray that RESOLUTION # 1118 be postponed to the January 29, 2019 City Council meeting

ROLL CALL:

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

Nays: Harding

MOTION APPROVED 6-1

(Required notices of the public hearing relating to the following development were published in the Daily Record and the Omaha World-Herald on December 13, 2018 and December 20, 2018.)

20. RES. 1135 – Res. that, the Little Italy Apartments on Pierce Tax Increment Financing (TIF) Redevelopment Project Plan, for the redevelopment project site located at 925 Pierce Street, proposes the construction of a five-level apartment building with 83 units and rooftop patio space, an underground parking garage with 59 stalls, 22 onsite parking stalls and 16 parking spaces in the public right-of-way, and authorizes the City's participation through the allocation of TIF in an amount up to \$2,300,000.00, plus accrued interest, to offset TIF eligible expenses including, but not limited to acquisition, environmental and geotechnical studies, special geopier foundations, architectural and engineering fees, alley improvements, and public improvements as required, 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 20.

The following person(s) appeared and spoke:

PROPONENTS:

Eric Wieseler, 9217 Davenport Street

OPPONENTS:

Larry Storer, 5015 Lafayette Avenue

Dawaune Hayes, 2618 Parker Street

FOR THE CITY:

Don Seten, Planning Department

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

MOTION by Jerram, SECOND by Harding that RESOLUTION # 1135 be approved

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

(Required notices of the public hearing relating to the following development were published in the Daily Record and the Omaha World-Herald on December 13, 2018 and December 20, 2018.)

21. RES. 1136 – Res. that, the Ames Innovation Center Tax Increment Financing (TIF) Redevelopment Project Plan, for the redevelopment project site located at 4606 North 56th Street, proposes the renovation of a 44,000 square foot building into a high tech, data-driven work environment for commercial and office use, and authorizes the City's participation through the allocation of TIF in an amount up to \$486,146.00, plus accrued interest, to offset TIF eligible expenses including, but not limited to acquisition, building rehabilitation, architectural and engineering services, and public improvements as required, 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 21.

The following person(s) appeared and spoke:

PROPONENTS:

Jay Kline, White Lotus Group, 2036 North 48th Avenue

FOR THE CITY:

Don Seten, Planning Department

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

MOTION by Festersen, SECOND by Gray that RESOLUTION # 1136 be approved

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

(Required notices of the public hearing relating to the following development were published in the Daily Record and the Omaha World-Herald on December 20, 2018 and December 27, 2018.)

22. RES. 1167 – Res. that, the Elliott Equipment Company Tax Increment Financing (TIF) Redevelopment Project Plan, for the redevelopment project site located at 3514 South 25th Street, proposes the renovation of two existing buildings for the Elliott Equipment Company, one approximately 42,000 square feet for office headquarters and the other approximately 167,000 square feet for manufacturing processes, and authorizes the City’s participation through the allocation of TIF in an amount up to \$1,131,408.00, plus accrued interest, to offset TIF eligible expenses including, but not limited to acquisition, environmental and geotechnical studies, site work, architectural and engineering fees, and public improvements as required, 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 22.

The following person(s) appeared and spoke:

PROPOSERS:

Brent Beller, Attorney for the applicant, 11440 West Center Road
Jim Glazer, Elliott Equipment Company, 4427 South 76th Circle

FOR THE CITY:

Don Seten, Planning Department

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

MOTION by Palermo, SECOND by Festersen that RESOLUTION # 1167 be approved

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

LIQUOR

23. RES. 2019-03 – Class “C” Liquor License Application – Corner Tap, Inc., dba “Corner Tap”, 940 North 204th Avenue, Suite 210. (This is a new application for a new location). Notice was posted on the property on 12/19/18; Notification was sent to property owners within 500 feet on 12/21/18 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

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

Council President Gray opened the Public Hearing on Item 23.

The following person(s) appeared and spoke:

PROPOSERS:

Don Hodge, 4980 South 176th Avenue

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

MOTION by Melton, SECOND by Harding that RESOLUTION # 2019-03 be approved contingent upon the outdoor area permits being obtained

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

24. RES. 2019-04 – Class “CK” Liquor License Application – Karma Enterprises, LLC, dba “Club Karma”, 1419-1421 Farnam Street. (This is a new application for an old location). Present licensee is Kalamata, Inc., dba “Farnam Street/Bourbon”, who has a Class “CK” Liquor License – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

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

Council President Gray opened the Public Hearing on Item 24.

The following person(s) appeared and spoke:

PROPOSERS:

Paul Hyde, 7436 Washington Street

Bill Petrihos, 1419 Farnam Street

FOR THE CITY:

Paul Kratz, City Attorney

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

MOTION by Jerram, SECOND by Festersen that RESOLUTION # 2019-04 be approved

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

25. RES. 2019-05 – Class “I” Liquor License Application – Chance Ridge Event Center, LLC, dba “Chance Ridge Event Center”, 508 N Skyline Drive. (This is a new application for an old location – missed renewal). Notice was posted on the property on 12/19/18; Notification was sent to property owners within 500 feet on 12/21/18 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
- A. Communication in opposition – [see attached](#).
B. Documentation received from Jeff Main during the meeting – [see attached](#).

Council President Gray opened the Public Hearing on Item 25.

The following person(s) appeared and spoke:

PROPONENTS:

Robert Peterson, Attorney for the applicant, 14747 California Street

OPPONENTS:

Jeff Main, 21605 Chancellor Road

FOR THE CITY:

Paul Kratz, City Attorney

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

MOTION by Harding, SECOND by Gray that RESOLUTION # 2019-05 be postponed to the January 15, 2019 City Council meeting

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

26. RES. 2019-06 – Class “I” Liquor License Application – Joynoosaeng, Inc., dba “Indian Bowls”, 3901 Farnam Street #B. (This is a new application for a new location). Notice was posted on the property on 12/19/18; Notification was sent to property owners within 500 feet on 12/21/18 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

Council President Gray opened the Public Hearing on Item 26.

The following person(s) appeared and spoke:

PROPONENTS:

Cynthia Epstein, Attorney for the applicant, 11516 Nicholas Street

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

MOTION by Jerram, SECOND by Festersen that RESOLUTION # 2019-06 be approved

ROLL CALL:

Yeas: Festersen, Harding, Jerram, Melton, Pahls, Palermo, 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 27 through 29 were held on December 18, 2018.

(Required notices of the public hearings were published in the Daily Record on December 14, 2018.)

CONSENT AGENDA – ORDINANCES

27. ORD. 41691 – An ordinance (1) to approve an Agreement between the City of Omaha and the Boys & Girls Clubs of the Midlands in the amount of \$83,829.00; and (2) to authorize funding for such agreement from the City of Omaha’s FY 2017 Edward Byrne Memorial Justice Assistance Grant (JAG) Program, Award #2017-DJ-BX-0315, awarded by the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance; to provide funding for two (2) Gang Specialist positions; 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 December 11, 2018; Second Reading and Public Hearing December 18, 2018; Third Reading January 8, 2019) – [see attached](#).
28. ORD. 41693 – An ordinance to approve a corporate partnership agreement between the City of Omaha and ASAE: The Center for Association Leadership for promoting the City of Omaha for the period of April 1, 2019 through March 31, 2022; to promote the City of Omaha as a premier destination for conventions and meetings to a targeted national audience in an amount not to exceed \$146,000.00 per year – (First Reading December 11, 2018; Second Reading and Public Hearing December 18, 2018; Third Reading January 8, 2019) – [see attached](#).
29. ORD. 41692 – An ordinance approving an agreement by and between the City of Omaha and Millwork District I, LLC, to complete the installation of Indiana Street between 11th and 13th Streets and to limit the City’s expense allocation for the project to \$400,000.00 – (First Reading December 11, 2018; Second Reading and Public Hearing December 18, 2018; Third Reading January 8, 2019) – [see attached](#).

**MOTION by Jerram, SECOND by Festersen that the following items be approved:
Item # 27 ORDINANCE # 41691; Item # 28 ORDINANCE # 41693; and,
Item # 29 ORDINANCE # 41692**

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

Council President Gray announced that the public hearings on Agenda Items 30 through 57 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

30. RES. 2019-07 – Manager’s Application – Cost Plus, Inc., dba “Cost Plus World Market”, 12200 “K” Plaza requests permission to appoint Tricia L. Ruffino manager of their present Class “C” Liquor License location – [see attached](#).
31. RES. 2019-08 – Manager’s Application – Maxi-Mae, Inc., dba “DJ’s Dugout”, 1003 & 1009 Capitol Avenue requests permission to appoint Sean C. Glen manager of their present Class “CK” Liquor License location – [see attached](#).
32. RES. 2019-09 – Manager’s Application – Shahi Omaha, LLC, dba “Shahi”, 1015 Farnam Street requests permission to appoint Rebika Gurung manager of their present Class “C” Liquor License location – [see attached](#).
33. RES. 2019-10 – Manager’s Application – GPM Midwest 18, LLC, dba “Fas Mart 550”, 11919 Fort Street requests permission to appoint Brandy N. Stark manager of their present Class “B” License location – [see attached](#).
34. RES. 2019-29 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Mid-American Signal, in the amount of \$300,000.00 for Wavetronix radar vehicle detection sensors, hardware mountings, and related cabinet equipment to be utilized by the Construction Division; that such purchase is hereby approved. (The Finance Department is authorized to pay this cost from the Street and Highway Allocation Fund 12131, Street Improvement Organization 116165, year 2018 expenditure.) – [see attached](#).
35. RES. 2019-30 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to AFL, LLC dba Anderson Ford Lincoln Mercury Mazda in the amount of \$32,661.00 for the purchase of one (1) 2019 One Ton Cargo Van to be utilized by the Sewer Maintenance Division. (The Finance Department is authorized to pay the cost of this purchase from the Sewer Revenue Fund 21121, Sewer Planning Unit Organization 116512, year 2018 funding.) – [see attached](#).

36. RES. 2019-31 – Res. that, as recommended by the Mayor, the contract with Terry Hughes Tree Service, Inc. in the amount of \$84,400.00 for OPW 53516 being the 2019 Tree and Stump Removal Services at Various Locations, is hereby approved. (The Finance Department is authorized to pay the cost of \$84,400.00 from the Capital Special Assessment Fund 13573, Special Assessments Organization 116168, year 2019 expenditure.) – [see attached](#).
37. RES. 2019-32 – Res. that, as recommended by the Mayor, the agreement with the Omaha Public Power District in the estimated amount of \$562,255.00 for the relocation of an overhead 161 kilovolt electric transmission line as a part of OPW 53500 being the Missouri River WRRF-OPPD 161 kV Lines Relocation Project, is hereby approved. (The Finance Department is authorized to pay to the cost of this expense from the Sewer Revenue Fund 21121, Capital Asset Replacement Program Organization 116913, year 2018 expenditure in the estimated amount of \$562,255.00.) – [see attached](#).
38. RES. 2019-33 – Res. that, as recommended by the Mayor, Amendment No. 1 to the Agreement with HDR Engineering, Inc. to provide additional professional services for OPW 53017, being the Biogas Evaluation and Improvements Project, is hereby approved. (The Finance Department is authorized to pay an additional \$260,451.00 for these services, to be paid from the Sewer Revenue Fund 21121, Capital Asset Replacement Program Organization 116913, year 2018 expenditure.) – [see attached](#).
39. RES. 2019-34 – Res. that, as recommended by the Mayor, the Professional Services Agreement with Olsson, Inc. in the amount of \$57,595.98 to provide professional design engineering services on OPW 53529, being the North Downtown Truck Route Bypass Project, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$57,595.98, from the 2018 Transportation Bond Fund 13185, Transportation Bonds Organization 117117.) – [see attached](#).
40. RES. 2019-35 – Res. that, as recommended by the Mayor, Amendment No. 1 to the Engineering Services Agreement with JEO Consulting Group, Inc. in the amount of \$130,940.00 for the project management and final design phase services professional services on the Elkhorn WWTF - Abandonment Study Project, is hereby approved. (The Finance Department is authorized to pay the additional fee not to exceed \$130,940.00 for these services from the Sewer Revenue Improvements Fund 21124, Capital Asset Replacement Program Organization 116913, year 2018 expenditure.) – [see attached](#).
41. RES. 2019-36 – Res. that, as recommended by the Mayor, Amendment No. 3 to the Professional Services Agreement with CH2M Hill Engineers, Inc. in an amount not to exceed \$93,505.00 for the provision of additional engineering and professional services on OPW 52632, being the CSO 102 Box Culvert Outfall Repair Project, is hereby approved. (The Finance Department is authorized to pay the additional fee not to exceed \$93,505.00 for these engineering services from the Sewer Revenue Fund 21124, Capital Asset Replacement Program Organization 116913.) – [see attached](#).

42. RES. 2019-37 – Res. that, as recommended by the Mayor, the Supplemental Agreement #1 to the Professional Services Agreement with Olsson, Inc. with a cost to the City of \$35,771.51 to provide additional construction engineering services on Federal Aid Project, STPC-5011(8), State Control No. 22236, being the 114th Street - Pacific Street to Burke Street Project, is hereby approved. (To be paid from the 2018 Transportation Bond Fund 13185, Transportation Bonds Organization 117117, and the City Council, hereby authorizes the Mayor and City Clerk to sign the Agreement on behalf of the City of Omaha.) – [see attached](#).
43. RES. 2019-38 – Res. that, as recommended by the Mayor, the agreement with Steven Jensen Consulting, LLC, for planning consulting services in the amount not to exceed \$75,000.00 for January 1, 2019 through December 31, 2019 is hereby approved. (Funds shall be payable from FY 2019 General Fund, Fund NO. 11111, Administration Organization No. 109011.) – [see attached](#).
44. RES. 2019-39 – Res. that, as recommended by the Mayor, Change Order No. 1, in the total amount of \$23,615.00 for GPS Flooring for repairs to a gym floor due to water damage at A.V. Sorensen Community Center, located at 4808 Cass Street, is hereby approved. (The Finance Department is authorized to pay the total amount of \$23,615.00 from the General Fund No. 11111 and Organization No. 115031, Park Facility Services.) – [see attached](#).
45. RES. 2019-40 – Res. that, as recommended by the Mayor, in accordance with Section 5.16 of the Home Rule Charter of the City of Omaha, 1956, the Omaha Public Library is hereby authorized to purchase unique and non-competitive library books, materials, and publications from OverDrive, Inc. in an amount not to exceed \$200,000.00 during the period of January 1, 2019 through December 31, 2019. (The Finance Department is authorized to pay \$200,000.00 for the cost of purchases from the 2019 General Fund 11111, Organization 117016.) – [see attached](#).
46. RES. 2019-41 – Res. that, as recommended by the Mayor, in accordance with Section 5.16 of the Home Rule Charter of the City of Omaha, 1956, the Omaha Public Library is hereby authorized to purchase unique and non-competitive library books, materials, publications, and processing materials from Midwest Tape in an amount not to exceed \$350,000.00 during the period of January 1, 2019 through December 31, 2019. (The Finance Department is authorized to pay \$350,000.00 for the cost of purchases from the 2019 General Fund 11111, Organization 117016.) – [see attached](#).
47. RES. 2019-42 – Res. that, as recommended by the Mayor, in accordance with Section 5.16 of the Home Rule Charter of the City of Omaha, 1956, the Omaha Public Library is hereby authorized to purchase unique and non-competitive library books, materials, publications, and processing materials from Baker & Taylor in an amount not to exceed \$1,000,000.00 during the period of January 1, 2019 through December 31, 2019. (The Finance Department is authorized to pay \$1,000,000.00 for the cost of purchases from the 2019 General Fund 11111, Organization 117016.) – [see attached](#).

48. RES. 2019-43 – Res. that, as recommended by the Mayor, in accordance with Section 5.16 of the Home Rule Charter of the City of Omaha, 1956, the Omaha Public Library is hereby authorized to purchase unique and non-competitive library books, publications, and materials from WT Cox in an amount not to exceed \$75,000.00 during the period of January 1, 2019 through December 31, 2019. (The Finance Department is authorized to pay \$75,000.00 for the cost of purchases from the 2019 General Fund 11111, Organizations 117016.) – [see attached](#).
49. RES. 2019-44 – Res. that, as recommended by the Mayor, the bid of Executive Air Taxi Corporation in the amount of \$140,418.70, which represents the cost for a set of main rotor blades for the Omaha Police Department Air Support Unit Bell 206B3 helicopter, being the only bid received, is hereby accepted and approved. (The Finance Department is authorized to pay the cost of the main rotor blades from the Omaha Police Department Year 2018, General Fund 11111, Organization 113182 Air Support Unit, Account 43253 Aviation Parts.) – [see attached](#).
50. RES. 2019-45 – Res. that, as recommended by the Mayor, the proposal from Nichols Forensic Science Consulting to train one Forensic Investigations Unit staff member to competency as a Firearms Examiner is hereby accepted and approved. (The Finance Department is authorized to pay the cost of the services in the amount of \$73,650.00 from Fiscal Year 2019, Equitable Sharing Fund 17122, Organization 177772, Project 5708, Task B.1, Award 100596, Account 42239 Professional Fees.) – [see attached](#).
51. RES. 2019-52 – Res. that, the City consents to and approves the assignment and assumption agreement from Hope of Glory to the Assignees, so long as the Assignee continues to own the Project and maintain the 28 units of affordable housing – [see attached](#).
52. RES. 2019-46 – Res. that, the appointment by Mayor Jean Stothert of Matthew Kortright as an alternate member of the Zoning Board of Appeals to serve the remainder of a five-year term commencing upon approval of the City Council and expiring on May 5, 2021, be and hereby is confirmed and approved – [see attached](#).
53. RES. 2019-47 – Res. that, the reappointment by Mayor Stothert of David Levy to serve as a commissioner of the Omaha Housing Authority in accordance with the terms and conditions of the laws of the State of Nebraska and the City of Omaha, to serve a five-year term, commencing on April 19, 2019 and expiring April 18, 2024, be and hereby is confirmed and approved – [see attached](#).
54. RES. 2019-48 – Res. that, the reappointment by Mayor Jean Stothert of Jennifer N. Johnson Taylor to serve as a commissioner of the Omaha Housing Authority in accordance with the terms and conditions of the laws of the State of Nebraska and the City of Omaha, to serve a five-year term commencing on August 10, 2019, and expiring August 10, 2024, be and hereby is confirmed and approved – [see attached](#).
55. RES. 2019-49 – Res. that, the appointment by the Mayor of Andrew Conzett, as the architect of the Landmarks Heritage Preservation Commission, to serve a term commencing upon approval of the City Council and expiring on February 16, 2020, be and hereby is confirmed and approved – [see attached](#).

56. RES. 2019-50 – Res. that, the appointment by Mayor Jean Stothert of Christopher Rock to the Board of Directors for the Omaha Municipal Land Bank as representative for the Board of Directors for City Council District 5, with experience as a realtor, said term to commence upon approval by City Council and expire on December 5, 2019, is hereby confirmed – [see attached](#).
57. RES. 2019-51 – Res. that, the reappointment by Mayor Jean Stothert of Daniel Downs as the Master Electrician affiliated with a Union Shop member of the Electrical Examining Board, said term to commence on October 28, 2019, and to expire three years thereafter on October 27, 2022, is hereby confirmed – [see attached](#).

Council President Gray opened the Public Hearing on Items 30 through 57.

The following person(s) appeared and spoke:

PROPONENTS:

Item # 33 – Kim Fielder, 11919 Fort Street

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

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

Item # 30 RESOLUTION # 2019-07;	Item # 31 RESOLUTION # 2019-08;
Item # 32 RESOLUTION # 2019-09;	Item # 33 RESOLUTION # 2019-10;
Item # 34 RESOLUTION # 2019-29;	Item # 35 RESOLUTION # 2019-30;
Item # 36 RESOLUTION # 2019-31;	Item # 37 RESOLUTION # 2019-32;
Item # 38 RESOLUTION # 2019-33;	Item # 39 RESOLUTION # 2019-34;
Item # 40 RESOLUTION # 2019-35;	Item # 41 RESOLUTION # 2019-36;
Item # 42 RESOLUTION # 2019-37;	Item # 43 RESOLUTION # 2019-38;
Item # 44 RESOLUTION # 2019-39;	Item # 45 RESOLUTION # 2019-40;
Item # 46 RESOLUTION # 2019-41;	Item # 47 RESOLUTION # 2019-42;
Item # 48 RESOLUTION # 2019-43;	Item # 49 RESOLUTION # 2019-44;
Item # 50 RESOLUTION # 2019-45;	Item # 51 RESOLUTION # 2019-52;
Item # 52 RESOLUTION # 2019-46;	Item # 53 RESOLUTION # 2019-47;
Item # 54 RESOLUTION # 2019-48;	Item # 55 RESOLUTION # 2019-49;
Item # 56 RESOLUTION # 2019-50; and,	Item # 57 RESOLUTION # 2019-51

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

ORDINANCE ON FINAL READING

58. ORD. 41686 – An ordinance to continue the ongoing maintenance of portions of Abbott Drive by Lanoha Nurseries, in accordance with the original intentions 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 January 8, 2019) – [see attached](#). **(VOTE TODAY, POSTPONED FROM DECEMBER 11, 2018 CITY COUNCIL MEETING)**

MOTION by Harding, SECOND by Gray that ORDINANCE # 41686 be placed on file

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

ORDINANCES ON SECOND READING

59. ORD. 41694 – An ordinance approving a bid and multiple Purchase Orders from Sapp Bros., Inc. for the City of Omaha: Oils, Lubricants and Fluids Project bid submitted through Douglas County Purchasing Department on November 7, 2018, with an annual estimated cost of \$144,654.60 for a (1) one year price agreement with the option to extend for an additional (2) two, (1) one year extensions upon agreement by both parties; involving the payment of money from appropriations of more than one year in accordance with Section 5.17 of the Home Rule Charter of 1956, as amended; to provide for payments from a specific account – (First Reading December 18, 2018; Second Reading and Public Hearing January 8, 2019; Third Reading January 15, 2019) – [see attached](#). **(PUBLIC HEARING TODAY)**

Council President Gray opened the Public Hearing on Item 59.

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

60. ORD. 41695 – An ordinance approving a Change Order to the contract awarded to Miller & Sons Golf Cars as golf dealer using PNC Equipment Finance for lease program per bid disclosure that was approved by Council Ordinance No. 41491 on June 5, 2018 for the lease of additional golf cars under the same price of \$497.80 per golf car as with their original bid of March 23, 2018. The Change Order will add one hundred (100) electric power golf cars for the Golf Division of the Parks, Recreation and Public Property Department for four (4) years, with lease payments commencing in June 2019, through June 2022, for a total amount of \$199,120.28 – (First Reading December 18, 2018; Second Reading and Public Hearing January 8, 2019; Third Reading January 15, 2019) – [see attached](#). **(PUBLIC HEARING TODAY)**

Council President Gray opened the Public Hearing on Item 60.

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

61. SPECIAL ORD. 10240 – An ordinance levying a special tax assessment for cutting and clearing weeds, grass and worthless vegetation in accordance with Sections 18-21 through 18-30 of the Omaha Municipal Code on certain lots in the City of Omaha – Group No. 2019-01 – (First Reading December 18, 2018; Second Reading and Public Hearing January 8, 2019; Third Reading January 15, 2019) – [see attached](#). **(PUBLIC HEARING TODAY)**

Council President Gray opened the Public Hearing on Item 61.

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

62. SPECIAL ORD. 10241 – An ordinance levying a special tax assessment for litter removal in accordance with Sections 18-21 through 18-30 of the Omaha Municipal Code on certain lots in the City of Omaha – Group 2019-02 – (First Reading December 18, 2018; Second Reading and Public Hearing January 8, 2019; Third Reading January 15, 2019) – [see attached](#). **(PUBLIC HEARING TODAY)**
- A. Communication in opposition – [see attached](#).
B. Documentation received from Lawrence Mruz during the meeting – [see attached](#).

Council President Gray opened the Public Hearing on Item 62.

The following person(s) appeared and spoke:

OPPONENTS:

Larry Mruz, 9005 South 13th Street, Bellevue, NE
Raydelle Meehan, 1702 South 11th Street
Diane Russo, 1456 South 11th Street

FOR THE CITY:

Dave Austin, Parks Department

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

63. ORD. 41696 – An ordinance to approve an Amendment to the Lease Agreement between the City of Omaha (CITY) and Husker-Hawkeye Distributing, Inc. (HUSKER) to use and occupy the premises for the location of the Omaha Police Department Air Support Unit located at the North Omaha Airport to include housing aircraft or other Omaha Police Department equipment as needed, takeoff and landing, and all operations and maintenance activities attendant thereto; extending the term for ten (10) months from September 1, 2018 to June 30, 2019, with no extensions; increasing the monthly rent to \$3,000.00 beginning September 1, 2018 and ending June 30, 2019, eliminating the five cent per gallon charge for fuel usage during the extended term of this agreement; and the CITY will no longer be required to pay taxes and insurance during the extended term of this agreement – (First Reading December 18, 2018; Second Reading and Public Hearing January 8, 2019; Third Reading January 15, 2019) – [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.

64. ORD. 41699 – An ordinance to provide for approving an Agreement between the City of Omaha and the Greater Omaha Chamber of Commerce, for three years: in the amount of \$169,000.00 for 2019, \$149,500.00 for 2020, and \$139,750.00 for 2021, wherein the Chamber establishes a program known as the REACH program. REACH, in cooperation with the City and other community partners, will work to increase Small and Emerging Businesses (SEBs) in Omaha; expand the capacity and capabilities of SEBs through education, training and technical assistance; assist SEBs in fostering greater contracting opportunities for SEBs; and provide an assessment tool for evaluating all participants – (First Reading December 18, 2018; Second Reading and Public Hearing January 8, 2019; Third Reading January 15, 2019) – [see attached](#). **(PUBLIC HEARING TODAY)**

Council President Gray opened the Public Hearing on Item 64.

The following person(s) appeared and spoke:

PROPONENTS:

Winsley Durand, Greater Omaha Chamber of Commerce, 808 Conagra Drive

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

NON-ACTION ITEMS

(Items 65 through 95 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 JANUARY 22, 2019)

BINNEY ROW

65. ORD. 41697 – An ordinance to rezone property located northeast of 67th Avenue and Binney Street from R4(35)-Single-Family Residential District (High-Density) to R4-Single-Family Residential District – (First Reading December 18, 2018; **Second Reading January 8, 2019**; Third Reading, Public Hearing and Vote January 15, 2019) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
66. RES. 1148 – Res. that, the Preliminary Plat entitled Binney Row, a minor plat inside the city limits, located northeast of 67th Avenue and Binney Street, along with the conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized. The applicant is Yuri Paskar – Inside City Limits – [see attached](#). **(LAID OVER TO THE JANUARY 15, 2019 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 65 AND TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
67. RES. 1149 – Res. that, the Final Plat transmitted herewith entitled Binney Row, a minor plat inside the city limits, located northeast of 67th Avenue and Binney Street, is hereby approved, and concurrently a portion of the existing plat entitled Benson, and described on said replat, are hereby vacated. The applicant is Yuri Paskar – Inside City Limits – [see attached](#). **(LAID OVER TO THE JANUARY 15, 2019 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 65 AND TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
68. RES. 1150 – Res. that, the Subdivision Agreement between the City of Omaha and YK Holdings, LLC, as recommended by the Mayor, is hereby approved. The Subdivision is to be known as Binney Row (Lots 1-4) and is located northeast of 67th Avenue and Binney Street – [see attached](#). **(LAID OVER TO THE JANUARY 15, 2019 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 65)**

WOOD VALLEY WEST 2

69. ORD. 41703 – An ordinance to rezone property located north of Military Road and west of 147th Street from AG-Agricultural District to R4-Single Family Residential District (High Density) – (**First Reading January 8, 2019**; Second Reading January 15, 2019; Third Reading, Public Hearing and Vote January 29, 2019) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).

70. RES. 2019-11 – Res. that, the Final Plat entitled Wood Valley West 2, located north of Military Road and west of 147th Street, is hereby approved and accepted. The applicant is Loren Johnson, Celebrity Homes – Outside City Limits – [see attached](#). **(LAID OVER TO THE JANUARY 29, 2019 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 69 AND TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).

71. RES. 2019-12 – Res. that, the Subdivision Agreement among the City of Omaha, Celebrity Homes, Inc., Wood Valley West 2 Homeowners Association, and Sanitary and Improvement District (S.&I.D.) 554 of Douglas County, Nebraska, as recommended by the Mayor, is hereby approved. The Subdivision is to be known as Wood Valley West 2 (Lots 1-96 and Outlots A-D) and is located north of Military Road and west of 147th Street – [see attached](#). **(LAID OVER TO THE JANUARY 29, 2019 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 69)**

BACKWOODS PARADISE

72. RES. 2019-13 – Res. that, the Preliminary Plat entitled Backwoods Paradise, a minor plat inside the city limits, located at 9140 Mormon Bridge Road, made a part of Exhibit “A”, along with the conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized. The applicant is Joseph and Jamie Johnson – Inside City Limits – [see attached](#). **(LAID OVER THE JANUARY 29, 2019 CITY COUNCIL MEETING TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**

- A. Planning Board and Planning Department recommend approval of the Preliminary Plat but denial of a waiver of Section 53-9(9) Sidewalks – [see attached](#).

73. RES. 2019-14 – Res. that, the Final Plat entitled Backwoods Paradise, located at 9140 Mormon Bridge Road, is hereby approved and accepted. The applicant is Joseph and Jamie Johnson – Inside City Limits – [see attached](#). **(LAID OVER TO THE JANUARY 29, 2019 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 72 AND TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**

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

74. RES. 2019-15 – Res. that, the Subdivision Agreement between the City of Omaha and Joseph P. Johnson and Jamie L. Johnson, husband and wife, as recommended by the Mayor, is hereby approved. The Subdivision is to be known as Backwoods Paradise (Lots 1-2) and is located at 9140 Mormon Bridge Road – [see attached](#). **(LAID OVER TO THE JANUARY 29, 2019 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 72)**

SOMERSET 2

75. ORD. 41704 – An ordinance to rezone property located southeast of Wenninghoff Road and State Street from DR-Development Reserve District to R4-Single-Family Residential District (High-Density) – (**First Reading January 8, 2019**; Second Reading January 15, 2019; Third Reading, Public Hearing and Vote January 29, 2019) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
76. ORD. 41705 – An ordinance to rezone property located southeast of Wenninghoff Road and State Street from AG-Agricultural District to R4-Single-Family Residential District (High density) – (**First Reading January 8, 2019**; Second Reading January 15, 2019; Third Reading, Public Hearing and Vote January 29, 2019) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
77. RES. 2019-16 – Res. that, the Final Plat entitled Somerset 2 (Lots 1-100, (formerly Somerset (Lots 530-628)), located southeast of Wenninghoff Road and State Street, is hereby approved and accepted. The applicant is Loren Johnson, Celebrity Homes Omaha – Outside City Limits – [see attached](#). (**LAI D O V E R T O T H E J A N U A R Y 2 9 , 2 0 1 9 C I T Y C O U N C I L M E E T I N G T O C O I N C I D E W I T H I T E M 7 5 A N D T O A D V E R T I S E F O R P U B L I C H E A R I N G A N D T O N O T I F Y S U R R O U N D I N G P R O P E R T Y O W N E R S**)
- A. Planning Board and Planning Department recommend approval – [see attached](#).
78. RES. 2019-17 – Res. that, the Final Plat entitled Somerset 2 (Lots 101-206, (formerly Somerset (Lots 629-730)), located southeast of Wenninghoff Road and State Street, is hereby approved and accepted. The applicant is Loren Johnson, Celebrity Homes Omaha – Outside City Limits – [see attached](#). (**LAI D O V E R T O T H E J A N U A R Y 2 9 , 2 0 1 9 C I T Y C O U N C I L M E E T I N G T O C O I N C I D E W I T H I T E M 7 5 A N D T O A D V E R T I S E F O R P U B L I C H E A R I N G A N D T O N O T I F Y S U R R O U N D I N G P R O P E R T Y O W N E R S**)
- A. Planning Board and Planning Department recommend approval – [see attached](#).
79. RES. 2019-18 – Res. that, the Subdivision Agreement among the City of Omaha, Celebrity Homes, Inc., Somerset 2 Homeowners Association, and Sanitary and Improvement District (S.&I.D.) 592 of Douglas County, Nebraska, as recommended by the Mayor, is hereby approved. The Subdivision is to be known as Somerset 2 (Lots 1-100) and is located southeast of Wenninghoff Road and State Street – [see attached](#). (**LAI D O V E R T O T H E J A N U A R Y 2 9 , 2 0 1 9 C I T Y C O U N C I L M E E T I N G T O C O I N C I D E W I T H I T E M 7 5**)
80. RES. 2019-19 – Res. that, the Subdivision Agreement among the City of Omaha, Celebrity Homes, Inc., Somerset 2 Homeowners Association, and Sanitary and Improvement District (S.&I.D.) 592 of Douglas County, Nebraska, as recommended by the Mayor, is hereby approved. The Subdivision is to be known as Somerset 2 (Lots 101-206) and is located southeast of Wenninghoff Road and State Street – [see attached](#). (**LAI D O V E R T O T H E J A N U A R Y 2 9 , 2 0 1 9 C I T Y C O U N C I L M E E T I N G T O C O I N C I D E W I T H I T E M 7 5**)

PACIFIC RESERVE

81. ORD. 41706 – An ordinance to rezone property located at 20601 Pacific Street from AG-Agricultural District to DR-Development Reserve District – (**First Reading January 8, 2019**; Second Reading January 15, 2019; Third Reading, Public Hearing and Vote January 29, 2019) – [see attached](#).
82. ORD. 41707 – An ordinance to rezone property located at 20601 Pacific Street from AG-Agricultural District to R5-Urban Family Residential District – (**First Reading January 8, 2019**; Second Reading January 15, 2019; Third Reading, Public Hearing and Vote January 29, 2019) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
83. RES. 2019-20 – Res. that, the Special Use Permit application submitted by Pacific Reserve, LLC Chris Erickson, for a Special Use Permit to allow Daycare service (general) in a R5-Urban Family Residential District (pending), located at 20601 Pacific Street (Lot 5, Pacific Reserve), 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. 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](#). (**LAI D O V E R T O T H E J A N U A R Y 2 9 , 2 0 1 9 C I T Y C O U N C I L M E E T I N G T O C O I N C I D E W I T H I T E M 8 1 A N D T O A D V E R T I S E F O R P U B L I C H E A R I N G A N D T O N O T I F Y S U R R O U N D I N G P R O P E R T Y O W N E R S**)
- A. Planning Board and Planning Department recommend approval – [see attached](#).
84. RES. 2019-21 – Res. that, the Final Plat entitled Pacific Reserve, located at 20601 Pacific Street, is hereby approved and accepted. The applicant is Pacific Reserve, LLC, Chris Erickson – Outside City Limits – [see attached](#). (**LAI D O V E R T O T H E J A N U A R Y 2 9 , 2 0 1 9 C I T Y C O U N C I L M E E T I N G T O C O I N C I D E W I T H I T E M 8 1 A N D T O A D V E R T I S E F O R P U B L I C H E A R I N G A N D T O N O T I F Y S U R R O U N D I N G P R O P E R T Y O W N E R S**)
- A. Planning Board and Planning Department recommend approval – [see attached](#).
85. RES. 2019-22 – Res. that, the Subdivision Agreement among the City of Omaha, Pacific Reserve, LLC, and the Pacific Reserve Homeowners Association, Inc., as recommended by the Mayor, is hereby approved. The Subdivision is to be known as Pacific Reserve (Lots 1-5 and Outlots A-F) and is located at 20601 Pacific Street – [see attached](#). (**LAI D O V E R T O T H E J A N U A R Y 2 9 , 2 0 1 9 C I T Y C O U N C I L M E E T I N G T O C O I N C I D E W I T H I T E M 8 1**)

PLANNING ORDINANCES ON FIRST READING WITH PLANNING BOARD ATTACHMENTS

86. ORD. 41700 – An ordinance to amend the boundaries of the MCC-Major Commercial Corridor Overlay District, to incorporate into that district the property located at 1938 North 85th Street – (**First Reading January 8, 2019**; Second Reading January 15, 2019; Third Reading, Public Hearing and Vote January 29, 2019) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
87. ORD. 41701 – An ordinance to rezone property located at 2230 and 2236 Jones Street from DS-Downtown Service District to CBD-Central Business District (property is located within an ACI-1 Overlay District) – (**First Reading January 8, 2019**; Second Reading January 15, 2019; Third Reading, Public Hearing and Vote January 29, 2019) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
88. ORD. 41702 – An ordinance to rezone property located at 1903 South 13th Street from GI-General Industrial District to NBD-Neighborhood Business District (property is located within an ACI-1 Overlay District) – (**First Reading January 8, 2019**; Second Reading January 15, 2019; Third Reading, Public Hearing and Vote January 29, 2019) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).

SPECIAL USE PERMIT

89. RES. 1152 – Res. that, the Special Use Permit application submitted by Nate Buss for a Special Use Permit to allow Assisted living in a R5-Urban Family Residential District, located northwest of 204th Street and George B Lake Parkway, 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. 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](#). (**LAI D O V E R T O T H E J A N U A R Y 1 5 , 2 0 1 9 C I T Y C O U N C I L M E E T I N G T O C O I N C I D E W I T H I T E M 4 8 A N D T O A D V E R T I S E F O R P U B L I C H E A R I N G A N D T O N O T I F Y S U R R O U N D I N G P R O P E R T Y O W N E R S**)
- A. Planning Board and Planning Department recommend approval – [see attached](#).
90. ORD. 41698 – An ordinance to amend the boundaries of the MCC-Major Commercial Corridor Overlay District, to incorporate into that district the property located northwest of 204th Street and George B Lake Parkway – (First Reading December 18, 2018; **Second Reading January 8, 2019**; Third Reading, Public Hearing and Vote January 15, 2019) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).

ORDINANCES ON FIRST READING

91. ORD. 41708 – An ordinance approving a redevelopment and Tax Increment Financing (TIF) Redevelopment Agreement between the City of Omaha and Douglas at 44th, LLC, to implement the 44 Douglas Student Housing Tax Increment Financing (TIF) Redevelopment Project Plan for a redevelopment project site located at 4412-4418 Douglas Street and 114-120 South 44th Street, which proposes the new construction of 120 studio-style efficiency apartment units, a surface parking lot with 33 spaces, 6 additional on-street parking spaces, and 87 leased parking spaces; the agreement authorizes the use of up to \$2,173,800.00, plus accrued interest, in excess ad valorem taxes (TIF) generated by the development to help fund the cost of the project – (**First Reading January 8, 2019**; Second Reading and Public Hearing January 15, 2019; Third Reading January 29, 2019) – [see attached](#).
92. ORD. 41709 – An ordinance approving a redevelopment and Tax Increment Financing (TIF) Redevelopment Agreement between the City of Omaha, and 420 South 11th Corp, dba 420 Condominium Regime, dba 420 Condominium Association, Inc., on behalf of the Residential Owners, to implement the 420 Condominium Regime Tax Increment Financing (TIF) Redevelopment Project Plan for a redevelopment project site located at 420 South 11th Street, which proposes the reconstruction of twelve (12) residential condominium units and their associated common areas; the agreement authorizes the use of up to \$685,682.00, plus accrued interest, in excess ad valorem taxes (TIF) generated by the development to help fund the cost of the project – (**First Reading January 8, 2019**; Second Reading and Public Hearing January 15, 2019; Third Reading January 29, 2019) – [see attached](#).
93. ORD. 41710 – An ordinance to approve a three-year renewal of annual subscription services with Shotspotter, Inc. per the attached quote in the amount of \$211,890.00 for each year and in the total amount of \$635,670.00 over the three-year period for annual warranty, maintenance, support, and monitoring services for the gunshot location system for the Omaha Police Department for Years 2019, 2020, and 2021; involving payment from the City of Omaha 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. (Payment to be made from General Fund 11111, Organization 113213 Information Technology, Account #42411 Maintenance Contracts) – (**First Reading January 8, 2019**; Second Reading and Public Hearing January 15, 2019; Third Reading January 29, 2019) – [see attached](#).
94. ORD. 41711 – An ordinance to accept the bid and approve a lease agreement between Dillon Brothers Harley-Davidson, Inc. and the City of Omaha for sixteen (16) Harley-Davidson motorcycles for use by the Omaha Police Department, over a six year period, with an annual cost per Unit from \$3,180.00 in the first year to \$3,420.00 in the last, plus other costs, all involving appropriations of more than one year in conformity with Section 5.17 and Section 5.16 of the Home Rule Charter – (**First Reading January 8, 2019**; Second Reading and Public Hearing January 15, 2019; Third Reading January 29, 2019) – [see attached](#).

95. ORD. 41712 – An ordinance to approve a Worker’s Compensation Third Party Administration Service Agreement between the City of Omaha, and CorVel Enterprise Comp., Inc., involving the payment of money from appropriations of more than one (1) year in accordance with Section 5.17 of the Home Rule Charter of the City of Omaha, 1956, as amended; to provide workers’ compensation third party coordinated administration, managed care, claims management, case management, and risk management information system services for the City’s self-funded workers’ compensation program for a period of three (3) years from January 1, 2019 to December 31, 2021, with two one (1) year options at the City’s sole discretion; such payments to be from Fund No. 11111 Organization No. 118017 – **(First Reading January 8, 2019; Second Reading and Public Hearing January 15, 2019; Third Reading January 29, 2019) – [see attached](#).**

EXECUTIVE SESSION

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

ADJOURNMENT

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

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

MEETING ADJOURNED AT: 5:33 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 January 8, 2019.

WITNESS:

s/Talia Smith

Talia Smith, Senior Administrative Clerk

CITY CLERK:

s/Elizabeth Butler

Elizabeth Butler