



JOURNAL RECORD

CITY OF OMAHA CITY COUNCIL MEETING

TUESDAY, JANUARY 15, 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 15, 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 Harding, Jerram, Melton, Mr. President (Gray); Absent during Roll Call were Councilmembers Pahls, Palermo, Festersen – **CCID # 2019-53**.

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

Councilmember Chris Jerram of District No. 3 provided the Invocation.

COUNCILMEMBERS PAHLS, PALERMO, AND FESTERSEN ENTERED THE LEGISLATIVE CHAMBERS AT 2:01 P.M.

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 11, 2019, notice of the Pre-Council and Regular City Council Meetings, January 15, 2019 – **CCID # 2019-54**.

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

BINNEY ROW

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

(Required notice of the public hearing relating to this development was published in the Daily Record on January 1, 2019.)

6. 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](#). **(PUBLIC HEARING AND VOTE TODAY)**
 - A. Planning Board and Planning Department recommend approval – [see attached](#).

7. 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](#). **(PUBLIC HEARING AND VOTE TODAY)**
 - A. Planning Board and Planning Department recommend approval – [see attached](#).
8. 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](#). **(PUBLIC HEARING AND VOTE TODAY)**
 - A. Planning Board and Planning Department recommend approval – [see attached](#).
9. 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](#). **(PUBLIC HEARING AND VOTE TODAY)**

Council President Gray opened the Public Hearing on Items 6 through 9.

The following person(s) appeared and spoke:

FOR THE CITY:

Dave Fanslau, Planning Director

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

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

Item # 6 ORDINANCE # 41697; Item # 7 RESOLUTION # 1148;
Item # 8 RESOLUTION # 1149; and, Item # 9 RESOLUTION # 1150

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

SPECIAL USE PERMIT

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

(Required notice of the public hearing relating to this development was published in the Daily Record on January 1, 2019.)

- 10. 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](#). **(PUBLIC HEARING AND VOTE TODAY)**
 - A. Planning Board and Planning Department recommend approval – [see attached](#).
 - B. Communication in opposition – [see attached](#).

- 11. 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](#). **(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:

PROPOSERS:

Eric Williams, Olsson, 2111 South 67th Street

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 # 1152; and, Item # 11 ORDINANCE # 41698**

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

LIQUOR

12. 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](#). **(POSTPONED FROM THE JANUARY 8, 2019 CITY COUNCIL MEETING, VOTE TODAY)**
- A. Communication in opposition – [see attached](#).
 - B. Documentation received from Jeff Main during the meeting – [see attached](#).

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

PROPOSERS:

Robert Peterson, Attorney for the applicant, 14747 California Street

OPPOSERS:

Jeff Main, 21605 Chancellor Road

MOTION by Harding, SECOND by Melton that RESOLUTION # 2019-05 be approved with the restriction that there be no music after midnight

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

13. RES. 2019-55 – Class “CK” Liquor License Application – Irishmen 180, LLC, dba “Two Fine Irishmen”, 18101 “R” Plaza, Suite 108. (This is a new application for an old location). Notice was posted on the property on 12/28/18; Notification was sent to property owners within 500 feet on 01/03/18 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
- A. Communication in opposition – [see attached](#).

Council President Gray opened the Public Hearing on Item 13.

The following person(s) appeared and spoke:

PROPOSERS:

Kyron O’Brien, 13974 Hickory Circle

Josh Purcell, 17129 Emiline Street

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

MOTION by Harding, SECOND by Melton that RESOLUTION # 2019-55 be approved

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

14. RES. 2019-56 – Class “CK” Liquor License Application – 9th Street Joint Venture, LLC, dba “Local Beer, Patio, and Kitchen”, 1207 Cass Street, Suite CH. (This is a new application for a new location). Notice was posted on the property on 12/28/18; Notification was sent to property owners within 500 feet on 01/03/18 – [see attached](#).
(PUBLIC HEARING AND VOTE TODAY)

Council President Gray opened the Public Hearing on Item 14.

The following person(s) appeared and spoke:

PROPOSERS:

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

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

MOTION by Jerram, SECOND by Gray that RESOLUTION # 2019-56 be approved

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

CONSENT AGENDA

City Clerk Elizabeth Butler stated that any member of the City Council may cause any item placed on the Consent Agenda to be removed. Items removed from the Consent Agenda shall be taken up by the City Council immediately following the Consent Agenda in the order in which they were removed unless otherwise provided by the City Council Rules of Order.

Council President Gray announced that the public hearings on Agenda Items 15 through 18 were held on January 8, 2019.

(Required notices of the public hearings were published in the Daily Record on January 4, 2019.)

CONSENT AGENDA – ORDINANCES

15. 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](#).
16. 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](#).
17. 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](#).
18. 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](#).

MOTION by Jerram, SECOND by Gray that the following items be approved:
Item # 15 ORDINANCE # 41694; Item # 16 ORDINANCE # 41695;
Item # 17 ORDINANCE # 41696; and, Item # 18 ORDINANCE # 41699

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

Council President Gray announced that the public hearings on Agenda Items 19 through 26 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

19. RES 2019-57 – Res. that, as recommended by the Mayor, the bid of ABM Supply in the amount of \$23,319.00, which represents the bid for gas masks and companion equipment for the Omaha Police Department, is hereby accepted and the same hereby approved. (The Finance Department of the City of Omaha is authorized to pay the cost of the gas masks and companion equipment from Fiscal Year 2019, General Fund 11111, Organization 113171 Training Academy, Account 46617 Safety Equipment.) – [see attached](#).
20. RES. 2019-58 – Res. that, the reappointment by Mayor Stothert of David Levy as a member of the Administrative Appeals Board, to serve a three-year term commencing February 26, 2019, and expiring February 25, 2022, be and hereby is confirmed and approved – [see attached](#).
21. RES. 2019-59 – Res. that, the reappointment by Mayor Jean Stothert of Jeff Estabrook as the non-union master plumber member of the Plumbing Board, to serve a three-year term commencing on July 29, 2019, and expiring July 28, 2022, be and hereby is confirmed and approved – [see attached](#).
22. RES. 2019-60 – Res. that, the reappointment by Mayor Jean Stothert of E. Butch Simpson as the Master Electrician in an Open Shop member of the Electrical Examining Board, said term to commence on September 15, 2019, and to expire three years thereafter on September 14, 2022, is hereby confirmed – [see attached](#).
23. RES. 2019-61 – Res. that, the reappointment by Mayor Jean Stothert of Rafael Valdez as the journeyman member affiliated with a union shop on 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](#).
24. RES. 2019-64 – Res. that, the reappointment by Mayor Jean Stothert of James F. Farho, being owner of property located at 3722 Dewey Avenue, to be a member of the Blackstone Business Improvement Board to serve a five-year term commencing upon January 29, 2019, and expiring on January 28, 2024, is hereby confirmed and approved – [see attached](#).

25. RES. 2019-65 – Res. that, the reappointment by Mayor Jean Stothert of Adrian M. Hernandez, being Senior Vice President of Dundee Bank which is the owner of property located at 38th and Farnam Streets, to be a member of the Blackstone Business Improvement Board to serve a five-year term commencing upon January 29, 2019, and expiring on January 28, 2024, is hereby confirmed and approved – [see attached](#).
26. RES. 2019-63 – Res. that, as recommended by the Mayor, the City Clerk is hereby authorized to attest, and the Mayor of the City of Omaha is authorized and empowered to execute for and on behalf of the City of Omaha, the Agreement in the amount of \$50,000.00 for the A Way to Work Program with the Salvation Army Western Division. (The Finance Department is authorized to pay the cost of \$50,000.00 from the 2018 Keno Fund 12118, Organization 126045, Account 46111.) – [see attached](#).

Council President Gray opened the Public Hearing on Items 19 through 26.

The following person(s) appeared and spoke:

FOR THE CITY:

Item # 26 – Kevin Andersen, Mayor’s Office

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

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

Item # 19 RESOLUTION # 2019-57; Item # 20 RESOLUTION # 2019-58;
 Item # 21 RESOLUTION # 2019-59; Item # 22 RESOLUTION # 2019-60;
 Item # 23 RESOLUTION # 2019-61; Item # 24 RESOLUTION # 2019-64;
 Item # 25 RESOLUTION # 2019-65; and, Item # 26 RESOLUTION # 2019-63

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

ORDINANCES ON FINAL READING

27. 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](#). **(VOTE TODAY)**
 - A. Amendment of the Whole requested by the Parks Department – [see attached](#).

MOTION by Jerram, SECOND by Gray that the Amendment of the Whole for SPECIAL ORDINANCE # 10240 be approved

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

28. 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](#). **(VOTE TODAY)**
- A. Communication in opposition – [see attached](#).
 - B. Documentation received from Lawrence Mruz during the meeting – [see attached](#).
 - C. Amendment of the Whole requested by the Parks Department – [see attached](#).

MOTION by Jerram, SECOND by Festersen that the Amendment of the Whole for SPECIAL ORDINANCE # 10241 be approved

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

ORDINANCES ON SECOND READING

29. 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](#). **(PUBLIC HEARING TODAY)**

Council President Gray opened the Public Hearing on Item 29.

The following person(s) appeared and spoke:

PROPOSERS:

Matt Dwyer, 3814 Farnam Street

FOR THE CITY:

Don Seten, Planning Department

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

30. 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](#). **(PUBLIC HEARING TODAY)**

Council President Gray opened the Public Hearing on Item 30.

The following person(s) appeared and spoke:

PROPOSERS:

Kendra Ringenberg, 13625 California Street

FOR THE CITY:

Don Seten, Planning Department

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

31. 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](#). **(PUBLIC HEARING TODAY)**

Council President Gray opened the Public Hearing on Item 31.

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

32. 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](#). **(PUBLIC HEARING TODAY)**

Council President Gray opened the Public Hearing on Item 32.

The following person(s) appeared and spoke:

OPPONENTS:

Mark Vondrasek, 211 South 37th Street

FOR THE CITY:

Lt. John Sokolick, Omaha Police Department

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

33. 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](#). **(PUBLIC HEARING TODAY)**

Council President Gray opened the Public Hearing on Item 33.

The following person(s) appeared and spoke:

FOR THE CITY:

Tim Young, Human Resources Director

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

NON-ACTION ITEMS

(Items 34 through 61 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)

WOOD VALLEY WEST 2

34. 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](#).
35. 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 34 AND TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
36. 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 34)**

BACKWOODS PARADISE

37. 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](#).
38. 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 37 AND TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
39. 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 37)**

SOMERSET 2

40. 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](#).
41. 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](#).
42. 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](#). **(LAID OVER TO THE JANUARY 29, 2019 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 40 AND TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
43. 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](#). **(LAID OVER TO THE JANUARY 29, 2019 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 40 AND TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
44. 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](#). **(LAID OVER TO THE JANUARY 29, 2019 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 40)**
45. 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](#). **(LAID OVER TO THE JANUARY 29, 2019 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 40)**

PACIFIC RESERVE

46. 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](#).
47. 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](#).
48. 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](#). **(LAID OVER TO THE JANUARY 29, 2019 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 46 AND TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
49. 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](#). **(LAID OVER TO THE JANUARY 29, 2019 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 46 AND TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
50. 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](#). **(LAID OVER TO THE JANUARY 29, 2019 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 46)**

PLANNING ORDINANCES ON SECOND READING WITH PLANNING BOARD ATTACHMENTS

51. 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](#).
52. 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](#).
53. 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](#).

PLANNING ORDINANCES ON FIRST READING WITH PLANNING BOARD ATTACHMENTS

54. ORD. 41714 – An ordinance to rezone property located at 1935 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 15, 2019**; Second Reading January 29, 2019; Third Reading, Public Hearing and Vote February 5, 2019) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
55. ORD. 41715 – An ordinance to rezone the properties located at 5003 Dodge Street and 106 South 50th Street from R3-Medium Density Multiple Family Residential District and GC-General Commercial District to GC-General Commercial District – (**First Reading January 15, 2019**; Second Reading January 29, 2019; Third Reading, Public Hearing and Vote February 5, 2019) – [see attached](#).
- A. Planning Board and Planning Department recommend denial – [see attached](#).
56. ORD. 41716 – An ordinance to amend the boundaries of the ACI-2 Area of Civic Importance Overlay District, to incorporate into that district the properties located at 5003 Dodge Street and 106 South 50th Street – (**First Reading January 15, 2019**; Second Reading January 29, 2019; Third Reading, Public Hearing and Vote February 5, 2019) – [see attached](#).
- A. Planning Board and Planning Department recommend denial – [see attached](#).

57. ORD. 41717 – An ordinance to approve an Amendment to the Future Land Use Element of the City’s Master Plan from Low density residential to Office/commercial for the property located at 106 South 50th Street, and to change the boundary of the Dodge Street and Saddle Creek Road Mixed Use Area – **(First Reading January 15, 2019;** Second Reading January 29, 2019; Third Reading, Public Hearing and Vote February 5, 2019) – [see attached](#).
- A. Planning Board and Planning Department recommend denial – [see attached](#).

SPECIAL USE PERMIT

58. RES. 2019-62 – Res. that, the application submitted by Tim Jacoby on behalf of Children’s Hospital and Medical Center for a permit for a heliport in a CC-Community Commercial District, located at 8501 West Dodge Road, Omaha, Nebraska, pursuant to Omaha Municipal Code section 28-187 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 – [see attached](#). **(LAID OVER TO 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 – [see attached](#).

ORDINANCES ON FIRST READING

59. ORD. 41713 – An ordinance (1) to approve an agreement between the City of Omaha and the Douglas County Board of Commissioners, Douglas County Administrative Office in the amount of \$182,918.00; 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 law enforcement equipment, prosecutor and corrections programs, and technology improvements and training; 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 January 15, 2019;** Second Reading and Public Hearing January 29, 2019; Third Reading February 5, 2019) – [see attached](#).
60. ORD. 41718 – An ordinance to approve a contract services agreement addendum to Ordinance #41416 previously approved by the City Council on February 13, 2018, between the Omaha Convention and Visitor’s Bureau, and Talley Management Group, Inc. for promoting the City of Omaha for the period of January 1, 2019 through December 31, 2019, with the option to extend for an additional two (2) years; to promote the City of Omaha as a premier destination for conventions and meetings to a targeted national audience in the Chicago market in an amount not to exceed \$15,000.00 for the one-year period; to authorize the payment specified therein – **(First Reading January 15, 2019;** Second Reading and Public Hearing January 29, 2019; Third Reading February 5, 2019) – [see attached](#).

61. ORD. 41719 – An ordinance approve the Omaha Tri-Park Complex Development and Management Agreement between the City of Omaha, Metropolitan Entertainment & Convention Authority, and the Downtown Riverfront Trust – (**First Reading January 15, 2019**; Second Reading and Public Hearing January 29, 2019; Third Reading February 5, 2019) – [see attached](#).

EXECUTIVE SESSION

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

ADJOURNMENT

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

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

MEETING ADJOURNED AT: 2:31 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 15, 2019.

WITNESS:

s/Talia Smith

Talia Smith, Senior Administrative Clerk

CITY CLERK:

s/Elizabeth Butler

Elizabeth Butler