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# **JOURNAL RECORD**

## **CITY OF OMAHA**

### **CITY COUNCIL MEETING**

**TUESDAY, MARCH 12, 2019**

**@ 2:00 PM**

**LEGISLATIVE CHAMBERS,  
1819 FARNAM STREET  
OMAHA, NEBRASKA**

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#### 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, March 12, 2019 at 2:00 P.M. in the Legislative Chambers, Omaha/Douglas Civic Center, Omaha, Nebraska and was called to Order by Council President Ben Gray.

### **CALL TO ORDER**

City Clerk Elizabeth Butler took the Roll Call: Present were Councilmembers Harding, Jerram, Melton, Pahls, Palermo, Festersen, Mr. President (Gray) – **CCID # 2019-240.**

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

Council President Ben Gray of District No. 2 provided opening remarks.

### **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 March 8, 2019, notice of the Pre-Council and Regular City Council Meetings, March 12, 2019 – **CCID # 2019-241.**

Ms. Butler stated that a current copy of the Open Meeting Act is posted in a white binder on the east wall of the Legislative Chambers.

### **PRESENTATIONS AND PROCLAMATIONS**

Proclamation read for Sue Mehaffey Day, which was presented to John Hawkins, President of the Omaha Sister Cities Association, who appeared and spoke.

### **PLANNING ITEMS WITH PLANNING BOARD ATTACHMENTS**

#### **VISTANCIA**

6. RES. 2019-244 – Res. that, the Revised Preliminary Plat entitled Vistancia, located northwest of 204th and Fort Streets, along with the conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized. The applicant is 20535 Fort LLC – Outside City Limits – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

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

Council President Gray opened the Public Hearing on Item 6.

The following person(s) appeared and spoke:

PROPONENTS:

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

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

**MOTION by Harding, SECOND by Melton that RESOLUTION # 2019-244 be approved**

**ROLL CALL:**

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

**Nays: None**

**MOTION APPROVED 7-0**

**BLUESTEM MEADOWS**

7. RES. 2019-245 – Res. that, the Preliminary Plat entitled Bluestem Meadows, a subdivision located outside the city limits, located northwest of 180th and Blondo Streets, along with the conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized. The applicant is Blondo 180, 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 7.

The following person(s) appeared and spoke:

**PROPOSERS:**

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

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

**MOTION by Melton, SECOND by Harding that RESOLUTION # 2019-245 be approved**

**ROLL CALL:**

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

**Nays: None**

**MOTION APPROVED 7-0**

**ALOY'S ACRES**

8. RES. 2019-246 – Res. that, the Preliminary Plat entitled Aloy's Acres, located southeast of 66th and Garvin Streets, with request for a waiver of Section 53-9(9), Sidewalks, along with the conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized. The applicant is Orchard Valley Inc. c/o Melvin Sudbeck – 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 8.

The following person(s) appeared and spoke:

**PROPOSERS:**

Jim Lang, Attorney for the applicant, 13340 California Street

Andy Melville, 8720 North 60th Street

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

**MOTION by Festersen, SECOND by Jerram that RESOLUTION # 2019-246 be approved**

**ROLL CALL:**

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

**Nays: None**

**MOTION APPROVED 7-0**

### **ANCHOR POINTE**

City Clerk Elizabeth Butler stated that Items 9 through 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 February 26, 2019.)*

9. ORD. 41752 – An ordinance to rezone property located northwest of Ida Street and HWS Cleveland Boulevard from AG-Agricultural District to R4-Single Family Residential District (High Density) – (First Reading February 26, 2019; Second Reading March 5, 2019; Third Reading, Public Hearing and Vote March 12, 2019) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
  - A. Planning Board and Planning Department recommend approval – [see attached](#).
10. RES. 2019-171 – Res. that, the Final plat entitled Anchor Pointe (Lots 217-302 and Outlots P-T), located northwest of Ida Street and HWS Cleveland Boulevard, is hereby approved and accepted. The applicant is Anchor Pointe Development LLC – Outside City Limits – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
  - A. Planning Board and Planning Department recommend approval – [see attached](#).
11. RES. 2019-172 – Res. that, the Subdivision Agreement among the City of Omaha, Anchor Pointe Development, LLC, The Anchor Pointe Homeowners Association, and Sanitary and Improvement District (S.&I.D.) 567 of Douglas County, Nebraska, as recommended by the Mayor, is hereby approved. The Subdivision is to be known as Anchor Pointe (Lots 217-302 and Outlots P-T) and is located northwest of Ida Street and HWS Cleveland Boulevard – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

Council President Gray opened the Public Hearing on Items 9 through 11.

The following person(s) appeared and spoke:

**PROPONENTS:**

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

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

**MOTION by Melton, SECOND by Harding that the following items be approved:  
Item # 9 ORDINANCE # 41752; Item # 10 RESOLUTION # 2019-171; and,  
Item # 11 RESOLUTION # 2019-172**

**ROLL CALL:**

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

**Nays: None**

**MOTION APPROVED 7-0**

**PLANNING ORDINANCES ON FINAL READING WITH PLANNING BOARD ATTACHMENTS**

*(Required notices of the public hearings relating to the following developments were published in the Daily Record on February 26, 2019.)*

12. ORD. 41749 – An ordinance to rezone property located at 6027 Holmes Street from DR-Development Reserve District to R5-Urban Family Residential District – (First Reading February 26, 2019; Second Reading March 5, 2019; Third Reading, Public Hearing and Vote March 12, 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 Item 12.

The following person(s) appeared and spoke:

**PROPONENTS:**

Joe Kosiski, 5808 M Street

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

**MOTION by Palermo, SECOND by Festersen that ORDINANCE # 41749 be approved**

**ROLL CALL:**

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

**Nays: None**

**MOTION APPROVED 7-0**

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

13. ORD. 41750 – An ordinance to rezone property located at 8040 West Dodge Road and 8319 Chicago Street from LO-Limited Office District and CC-Community Commercial District to CC-Community Commercial District (portion of the property is located within an ACI-2(65) Overlay District) – (First Reading February 26, 2019; Second Reading March 5, 2019; Third Reading, Public Hearing and Vote March 12, 2019) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

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

14. ORD. 41751 – An ordinance to amend the boundaries of the ACI-2(65) district of the Area of Civic Importance Overlay District, to incorporate into that district the property located at 8040 West Dodge Road and 8319 Chicago Street – (First Reading February 26, 2019; Second Reading March 5, 2019; Third Reading, Public Hearing and Vote March 12, 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 Item 13 and 14.

The following person(s) appeared and spoke:

**PROPOSERS:**

Ken Heinemann, Olsson, 211 South 67th Street

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

**MOTION by Festersen, SECOND by Harding that the following items be approved:  
Item # 13 ORDINANCE # 41750; and, Item # 14 ORDINANCE # 41751**

**ROLL CALL:**

**Yeas: Harding, Jerram, Melton, Pahls, Palermo, Festersen, 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 February 26, 2019.)*

15. RES. 2019-170 – Res. that, the Special Use Permit application submitted by Slosburg Company, for a Special Use Permit to allow General office, Consumer convenience services, General retail sales, Personal services, and Restaurant (limited) in a R7-Medium Density Multiple Family Residential District, located at 1919 Papillion Parkway, Omaha, Nebraska, is hereby approved. The Permits and Inspection Division is directed to issue the necessary permit therefor, provided the conditions set out in Exhibit "A" of the referenced application, conditions set out in Exhibit "B", and all applicable local or state statutes, ordinances or regulations are complied with. The proposed Special Use Permit has been reviewed and evaluated pursuant to, and meets each of, the criteria set forth in Section 55-885 of the Omaha Municipal Code – [see attached](#). **(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:

**PROPOSERS:**

Jerry Kavan, Slosburg Company, 10040 Regency Circle

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

**MOTION by Melton, SECOND by Harding that RESOLUTION # 2019-170 be approved**

**ROLL CALL:**

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

**Nays: None**

**MOTION APPROVED 7-0**

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**LIQUOR**

16. RES. 2019-242 – Class “C” Liquor License Application – FSM, LLC, dba “13th Street Brickhouse”, 2202 South 13th Street. (This is a new application for an old location). Previously licensed to ANS, Inc., dba “13th Street Brickhouse”, who held a Class “C” Liquor License. Notice was posted on the property on 02-19-19; Notification was sent to property owners within 500 feet on 03-01-19 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

- A. Communication from Chief Building Inspector – [see attached](#).
- B. Request to withdraw application – [see attached](#).

Council President Gray opened the Public Hearing on Item 16.

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

**MOTION by Jerram, SECOND by Gray that RESOLUTION # 2019-242 be withdrawn**

**ROLL CALL:**

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

**Nays: None**

**MOTION APPROVED 7-0**

17. RES. 2019-243 – Class “C” Liquor License Application – Jigsaw Red Holding, LLC, dba “Redeye Tavern & Grill”, 8437 West Center Road. (This is a new application for an old location). Present licensee is Catch22, Inc., dba “Redeye Tavern & Grill”, who has a Class “C” Liquor License – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

Council President Gray opened the Public Hearing on Item 17.

The following person(s) appeared and spoke:

**PROPOSERS:**

Wayne Knight, 1614 South 179th Street

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

**MOTION by Harding, SECOND by Melton that RESOLUTION # 2019-243 be approved**

**ROLL CALL:**

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

**Nays: None**

**MOTION APPROVED 7-0**

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**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 18 through 26 were held on March 5, 2019.

*(Required notices of the public hearings were published in the Daily Record on March 1, 2019.)*

**CONSENT AGENDA – ORDINANCES**

***COUNCIL PRESIDENT GRAY STATED THAT AGENDA ITEMS 25 AND 26 WERE REMOVED FROM THE CONSENT AGENDA***

18. ORD. 41753 – An ordinance declaring the necessity of acquiring, for use by the City of Omaha, the necessary private property for the purpose of the Signal Infrastructure Phase A, project identified as OPW 52955; providing that the City negotiate with the property owners for land acquisitions, permanent easements and temporary construction easements; providing that as to each specified parcel which cannot be obtained by negotiation, condemnation proceedings be undertaken and completed – (First Reading February 26, 2019; Second Reading and Public Hearing March 5, 2019; Third Reading March 12, 2019) – [see attached](#).
  
19. ORD. 41754 – An ordinance approving a redevelopment and Tax Increment Financing (TIF) Redevelopment Agreement between the City of Omaha and Ashton, LLC, to implement the Ashton Building Tax Increment Financing (TIF) Redevelopment Project Plan for a redevelopment project site located at 1218 Nicholas Street, which proposes the renovation of a 187,000 square foot historic building for commercial and office use; the agreement authorizes the use of up to \$6,350,000.00, plus accrued interest, in excess ad valorem taxes (TIF) generated by the development to help fund the cost of the project – (First Reading February 26, 2019; Second Reading and Public Hearing March 5, 2019; Third Reading March 12, 2019) – [see attached](#).



20. ORD. 41755 – An ordinance approving a redevelopment and Tax Increment Financing (TIF) Redevelopment Agreement between the City of Omaha and Victory Apartments II - Omaha, LLC, to implement the Victory Apartments II Tax Increment Financing (TIF) Redevelopment Project Plan for a redevelopment project site located at 819 Dorcas Street, which proposes the conversion of a vacant, 4-story, building into 60 low-income veteran housing units; the agreement authorizes the use of up to \$347,016.00, plus accrued interest, in excess ad valorem taxes (TIF) generated by the development to help fund the cost of the project – (First Reading February 26, 2019; Second Reading and Public Hearing March 5, 2019; Third Reading March 12, 2019) – [see attached](#).
21. ORD. 41758 – An ordinance to approve the Collective Bargaining Agreement for the years 2018, 2019, 2020, and 2021 between the City of Omaha and the Functional Employees Group; to provide that any ordinances of the City of Omaha, and any rules and regulations promulgated thereunder, which are in conflict to those employees in the Bargaining Unit described in Article 1, Section 1, of said agreement with the provisions of the Collective Bargaining Agreement shall not be applicable; to amend Sections 23-342, 23-362, 23-363, 23-365, 23-369, 23-371, 23-402, 23-403, 23-404, and 23-417 of the Omaha Municipal Code to remove references to functional employees; to delete Sections 23-431 to 23-456 of the Omaha Municipal Code, known as Article VI. Employee Groups, Division 1. Functional Employees Group; to remove sections referencing functional employees; to provide authorization for the Mayor to execute and the City Clerk to attest her signature – (First Reading February 26, 2019; Second Reading and Public Hearing March 5, 2019; Third Reading March 12, 2019) – [see attached](#).
22. ORD. 41759 – An ordinance to amend Omaha Municipal Code Sec. 44-151; to adopt the NFPA 70, 2017 National Electrical Code – (First Reading February 26, 2019; Second Reading and Public Hearing March 5, 2019; Third Reading March 12, 2019) – [see attached](#).
23. ORD. 41762 – An ordinance to amend Chapter 40 of the Omaha Municipal Code entitled “Mechanical”; to amend code sections therein to conform with previous code changes; to amend sections 40-591, 40-592, 40-601 as heretofore existing – (First Reading February 26, 2019; Second Reading and Public Hearing March 5, 2019; Third Reading March 12, 2019) – [see attached](#).
24. ORD. 41760 – An ordinance to approve an Agreement between the City of Omaha and the Board of Regents of the University of Nebraska, to make a partial payment toward the city’s Unfunded Reimbursement, as identified in that Interlocal Cooperation Agreement by and between the parties approved by the Omaha City Council on October 25, 2013 and authorizes the use of \$1,561,000 in transportation bond proceeds to fund the costs of the public improvements – (First Reading February 26, 2019; Second Reading and Public Hearing March 5, 2019; Third Reading March 12, 2019) – [see attached](#).

25. ORD. 41761 – An ordinance approving the Sixteenth Supplemental Agreement among the City of Omaha, the County of Douglas and the Omaha-Douglas Public Building Commission to provide for the issuance of up to the stated principal amount of \$6,250,000.00 of new bonds, in one or more series, to pay costs for acquiring a site consisting of improved real estate known as the MUD site between 17th Street, 18th Street, Harney Street, and Howard Street for future projects consisting of, but not limited to, acquiring, constructing, demolishing, reconstructing, improving, renovating and equipping office facilities, courtroom facilities, and other justice facilities as an addition to the Civic Center and as an addition to the Hall of Justice and to determine the division of responsibility for payment of the new bonds – (First Reading February 26, 2019; Second Reading and Public Hearing March 5, 2019; Third Reading March 12, 2019) – [see attached](#). **(REMOVED FROM CONSENT)**
26. ORD. 41763 – An ordinance authorizing and providing for the issuance of Redevelopment Project Revenue Bonds (Blackstone Hotel) in one or more series in an aggregate principal amount not to exceed \$22,627,138.00, for the purpose of paying the costs of reconstructing, improving, extending, rehabilitating, installing, equipping, furnishing and completing certain improvements within the Blackstone Hotel Tax Increment Financing Redevelopment Project Plan Area, and paying the costs of issuance of such bonds; prescribing the form and certain details of such bonds; pledging certain occupation tax revenues to the payment of the principal of and interest on such bonds as the same become due; limiting payment of such bonds to the revenues specified herein; creating and establishing funds and accounts; delegating, authorizing and directing the finance director to exercise his independent discretion and judgment in determining and finalizing certain terms and provisions of such bonds not specified herein; taking other actions and making other covenants and agreements in connection with the foregoing; and related matters – (First Reading February 26, 2019; Second Reading and Public Hearing March 5, 2019; Third Reading March 12, 2019) – [see attached](#). **(REMOVED FROM CONSENT)**
- A. Amendment of the Whole requested by the Law Department – [see attached](#).

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

<b>Item # 18 ORDINANCE # 41753;</b>	<b>Item # 19 ORDINANCE # 41754;</b>
<b>Item # 20 ORDINANCE # 41755;</b>	<b>Item # 21 ORDINANCE # 41758;</b>
<b>Item # 22 ORDINANCE # 41759;</b>	<b>Item # 23 ORDINANCE # 41762; and,</b>
<b>Item # 24 ORDINANCE # 41760</b>	

**ROLL CALL:**

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

**Nays: None**

**MOTION APPROVED 7-0**

25. ORD. 41761 – An ordinance approving the Sixteenth Supplemental Agreement among the City of Omaha, the County of Douglas and the Omaha-Douglas Public Building Commission to provide for the issuance of up to the stated principal amount of \$6,250,000.00 of new bonds, in one or more series, to pay costs for acquiring a site consisting of improved real estate known as the MUD site between 17th Street, 18th Street, Harney Street, and Howard Street for future projects consisting of, but not limited to, acquiring, constructing, demolishing, reconstructing, improving, renovating and equipping office facilities, courtroom facilities, and other justice facilities as an addition to the Civic Center and as an addition to the Hall of Justice and to determine the division of responsibility for payment of the new bonds – (First Reading February 26, 2019; Second Reading and Public Hearing March 5, 2019; Third Reading March 12, 2019) – [see attached](#).

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

**PROPOSERS:**

Clare Duda, 13031 North River Drive

**MOTION by Melton, SECOND by Pahls that ORDINANCE # 41761 be postponed to the March 19, 2019 City Council meeting**

**ROLL CALL:**

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

**Nays: None**

**MOTION APPROVED 7-0**

26. ORD. 41763 – An ordinance authorizing and providing for the issuance of Redevelopment Project Revenue Bonds (Blackstone Hotel) in one or more series in an aggregate principal amount not to exceed \$22,627,138.00, for the purpose of paying the costs of reconstructing, improving, extending, rehabilitating, installing, equipping, furnishing and completing certain improvements within the Blackstone Hotel Tax Increment Financing Redevelopment Project Plan Area, and paying the costs of issuance of such bonds; prescribing the form and certain details of such bonds; pledging certain occupation tax revenues to the payment of the principal of and interest on such bonds as the same become due; limiting payment of such bonds to the revenues specified herein; creating and establishing funds and accounts; delegating, authorizing and directing the finance director to exercise his independent discretion and judgment in determining and finalizing certain terms and provisions of such bonds not specified herein; taking other actions and making other covenants and agreements in connection with the foregoing; and related matters – (First Reading February 26, 2019; Second Reading and Public Hearing March 5, 2019; Third Reading March 12, 2019) – [see attached](#).

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

**MOTION by Jerram, SECOND by Gray that the Amendment of the Whole for ORDINANCE # 41763 be approved**

**ROLL CALL:**

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

**Nays: None**

**MOTION APPROVED 7-0**

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Council President Gray announced that the public hearings on Agenda Items 27 through 42 were today. He asked that anyone who wished to address the City Council regarding these items please come to the microphone, indicate the Agenda Item Number being addressed, and state their name, address, who they represent, and if they were speaking as a proponent or opponent.

### **CONSENT AGENDA – RESOLUTIONS**

27. RES. 2019-247 – Res. that, as recommended by the Mayor, a Purchase Order to ABBA Pumps Parts and Service, Inc. in the amount of \$22,890.00 for one (1) Rotating Assembly of ABBA Pump Model FMA14411-T60, in accordance with Section 5.16 of the Home Rule Charter of 1956 for the purchase of unique or non-competitive items, is hereby approved. (The Finance Department is authorized to pay the cost of this purchase from the Sewer Revenue Fund 21121, Missouri Treatment Plant Main Organization 116613, year 2019 expenditure.) – [see attached](#).
28. RES. 2019-248 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Nebraska Machinery Company in the amount of \$245,768.00 for the purchase of one (1) 2019 Street Motor Grader to be utilized by the Street Maintenance Division. (The Finance Department is authorized to pay the cost of this purchase from the Street and Highway Allocation Fund 12131, Pavement Maintenance Organization 116158, year 2019 funding.) – [see attached](#).
29. RES. 2019-249 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Nebraska Machinery Company in the amount of \$190,690.49 for the purchase of one (1) Articulated All Wheel Drive Loader to be utilized by the Street Maintenance Division. (The Finance Department is authorized to pay the cost of this purchase from the Street and Highway Allocation Fund 12131, Pavement Maintenance Organization 116158, year 2019 funding.) – [see attached](#).
30. RES. 2019-250 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Cornhusker International Trucks, Inc. in the amount of \$906,405.00 for the purchase of five (5) 35,000 GVW Plow Truck Chassis, Dump Box and Spreaders to be utilized by the Street Maintenance Division. (The Finance Department is authorized to pay the cost of this purchase from the Street and Highway Allocation Fund 12131, Pavement Maintenance Organization 116158, year 2019 funding.) – [see attached](#).

31. RES. 2019-251 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Westover Rock & Sand, Inc. in the amount of \$26,387.50 for the purchase of Screened and Crushed Rock 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, Maintenance Organization 116511, year 2019 funding.) – [see attached](#).
32. RES. 2019-252 – Res. that, as recommended by the Mayor, the Finance Department is authorized to pay the Omaha-Council Bluffs Metropolitan Area Planning Agency in the amount of \$95,772.80 for the administration and project allocation fee required for the City of Omaha’s portion of the cost of managing the regional Transportation Improvement Program. (To be paid from the Transportation Bond Fund 13185, Organization 117117.) – [see attached](#).
33. RES. 2019-253 – Res. that, as recommended by the Mayor, the Agreement with Keep Omaha Beautiful, Inc. in the amount of \$50,000.00 to promote storm water pollution prevention and public education activities for 2019 is hereby approved. (The Finance Department is authorized to pay to KOB a total of \$50,000.00 from the Storm Water Fee Revenue Fund 12128, Storm Water Management Organization 116312, year 2019 expenditure.) – [see attached](#).
34. RES. 2019-254 – Res. that, as recommended by the Mayor, the Agreement between the City of Omaha and Keep Omaha Beautiful (KOB) in the amount of \$50,000.00 to promote and assist with the Omaha Spring and Fall Cleanup, as well as other community cleanup and beautification programs for 2019, is hereby approved. (The Finance Department is authorized to pay KOB \$50,000.00 from the General Fund 11111, Solid Waste Collection and Disposal Organization 116321, year 2019 expenditure.) – [see attached](#).
35. RES. 2019-255 – Res. that, as recommended by the Mayor, Change Order No. 1 with Eriksen Construction Company, Inc. in the amount of \$366,542.23 for additional work on OPW 52472, being the Burt Izard Lift Station Improvements Project, is hereby approved. (The Finance Department is authorized to pay an additional sum of \$366,542.23 for this change order, to be paid from the Sewer Revenue Improvements Fund 21124, Capital Asset Replacement Program Organization 116913, year 2019 – [see attached](#)).
36. RES. 2019-256 – Res. that, as recommended by the Mayor, the Professional Services Agreement with Burns & McDonnell Engineering, Inc. in the amount of \$28,750.00 to provide professional services on OPW 53535 being the Electric Vehicle Charging Stations Project, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$28,750.00 from the Parking Revenue Fund 21116, System Wide Parking Improvements Organization 116239, year 2019 expenditure.) – [see attached](#).
37. RES. 2019-258 – Res. that, as recommended by the Mayor, the Agreement for the Electric Vehicle Charging Stations Project, between the City of Omaha and Nebraska Department of Transportation (NDOT) known as Project No. CMAQ-28(127), State Control No. 22769 and OPW 53535, with an estimated cost to the City of \$161,200.00, being the Electric Vehicle Charging Station Project, is hereby approved. (To be paid from the Parking Revenue Fund 21116, System Wide Parking Improvements Organization 116239. The City Council hereby authorizes the Mayor and City Clerk to sign the Agreement on behalf of the City of Omaha.) – [see attached](#).

38. RES. 2019-257 – Res. that, as recommended by the Mayor, the Professional Services Agreement with The Wells Resource LLC in the amount of \$81,642.00 to provide professional engineering services on OPW 53532 being the Sanitary Sewer Crossing Replacement at I-680 and Spaulding Plaza Project, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$81,642.00, from the Sewer Revenue Improvements Fund 21124, Neighborhood Sewer Renovation Organization 116911, year 2019 expenditure.) – [see attached](#).
39. RES. 2019-259 – Res. that, the City Clerk is hereby authorized and directed to publish the Petition for improvement of Emmet Street from N. 83rd Street to its terminus just west of N. 85th Street, within Street Improvement District No. 2019-01, to publish notice of the right to protest the said Petition and the said improvement, and to mail the said notice to record owners of taxable property within the said District, all as provided in this Resolution – [see attached](#).
40. RES. 2019-260 – Res. that, Councilmembers Chris Jerram, Aimee Melton, and Vinny Palermo shall assess damages, if any, to owners and parties affected by the vacation of B Street generally west of the west right-of-way line of 28th Street, abutting Lot 12, Block 15, South Omaha City Lots; Lot 12, Block 7 South Omaha City Lots and Lot 1, South Omaha Replat 5. Said committee shall give reasonable notice to the owners and parties interested in the property affected by such vacation – [see attached](#).
41. RES. 2019-261 – Res. that, as recommended by the Mayor, the purchase based upon the quote from Sandoval Custom Creations, Inc. (SCCI) in the amount of \$23,441.00, for two Cobra-Cam H45/600I complete camera systems and one Cobra-Cam M50/600 complete camera system for the Omaha Police Department, providing a unique and non-competitive service, and as provided in Chapter 5.16 of the Home Rule Charter 1956 as amended, is hereby approved. (The Finance Department of the City of Omaha is authorized to pay \$23,441.00 for the camera systems from the Omaha Police Department, Year 2019, Equitable Sharing Fund 17121, Organization 177771, Project 5965, Task D.1, Award 100677, Account 44118 Photo/Video/ Recording Equipment.) – [see attached](#).
42. RES. 2019-262 – Res. that, as recommended by the Mayor, the extension to the Agreement with Douglas County Community Mental Health Center, in the total amount not to exceed \$45,000.00, to provide a protective custody program and facility for intoxicated individuals, is hereby approved. (The Finance Department is authorized to pay \$7,500.00 per month, in a total amount not to exceed \$45,000.00. Finance Department is authorized to pay the funds in the monthly amount of \$7,500.00, with the total amount not to exceed \$45,000.00, to Douglas County Community Mental Health Center. Funds will be allocated in the amount of \$32,500.00 from 2019 Keno Fund 12118, Org 126017 and \$12,500.00 from 2019 General Fund 11111, Org 111111, Chief Administrative Functions, Account 42239, Professional Fees – Other.) – [see attached](#).

Council President Gray opened the Public Hearing on Items 27 through 42.

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



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

Item # 27 RESOLUTION # 2019-247;      Item # 28 RESOLUTION # 2019-248;  
Item # 29 RESOLUTION # 2019-249;      Item # 30 RESOLUTION # 2019-250;  
Item # 31 RESOLUTION # 2019-251;      Item # 32 RESOLUTION # 2019-252;  
Item # 33 RESOLUTION # 2019-253;      Item # 34 RESOLUTION # 2019-254;  
Item # 35 RESOLUTION # 2019-255;      Item # 36 RESOLUTION # 2019-256;  
Item # 37 RESOLUTION # 2019-258;      Item # 38 RESOLUTION # 2019-257;  
Item # 39 RESOLUTION # 2019-259;      Item # 40 RESOLUTION # 2019-260;  
Item # 41 RESOLUTION # 2019-261; and, Item # 42 RESOLUTION # 3019-262

**ROLL CALL:**

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

**Nays:**            None

**MOTION APPROVED 7-0**

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**ORDINANCES ON FINAL READING**

43.    ORD. 41756 – An ordinance providing for the designation of an enhanced employment area; the levy of a general business occupation tax; providing for the administration, imposition and collection of such occupation tax (Logan Building); specifying the use of such occupation tax revenue; and related matters – (First Reading February 26, 2019; Second Reading and Public Hearing March 5, 2019; Third Reading March 12, 2019) – [see attached](#). **(VOTE TODAY)**

**MOTION by Jerram, SECOND by Gray that ORDINANCE # 41756 be approved**

**ROLL CALL:**

**Yeas:**            Harding, Jerram, Festersen, Mr. President

**Nays:**            Melton, Pahls, Palermo,

**MOTION APPROVED 4-3**

44.    ORD. 41757 – An ordinance approving a redevelopment and Tax Increment Financing (TIF) Redevelopment and Occupation Tax Agreement between the City of Omaha and Logan Hospitality NMTC, LLC, to implement the Logan Building Tax Increment Financing (TIF) Redevelopment Project Plan, for a project site located at 1802 Dodge Street, which proposes to renovate the vacant seven story building known as the Logan Building into a mixed-use condominium regime consisting of a 90-room upscale boutique hotel located on the first six floors; a mezzanine level speakeasy bar, approximately 4,800 square feet of retail/office space located on the first floor; and four to six residential condominiums located on the seventh floor; the agreement authorizes the use of up to \$2,776,500.00, plus accrued interest; in excess ad valorem taxes (TIF) and \$1,375,000.00 in occupation tax funds generated by the development to help fund the cost of the project – (First Reading February 26, 2019; Second Reading and Public Hearing March 5, 2019; Third Reading March 12, 2019) – **(VOTE TODAY)**
- A.      Amendment of the Whole requested by the Planning Department – [see attached](#).

**MOTION by Jerram, SECOND by Festersen that the Amendment of the Whole for ORDINANCE # 41757 be approved**

**ROLL CALL:**

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

**Nays: None**

**MOTION APPROVED 7-0**

**ORDINANCES ON SECOND READING**

45. ORD. 41764 – An ordinance to amend Section 23-177 of the Omaha Municipal Code concerning employment classifications by adding the employment classification entitled Deputy Director – Police Technical and Reporting Services with a salary range of 37 AEC (\$132,591 - \$157,088); to repeal Section 23-177 as heretofore existing – (First Reading March 5, 2019; Second Reading and Public Hearing March 12, 2019; Third Reading March 19, 2019) – [see attached](#). **(PUBLIC HEARING TODAY)**

A. Personnel Board recommends approval.

Council President Gray opened the Public Hearing on Item 45.

The following person(s) appeared and spoke:

FOR THE CITY:

Deputy Chief Kerry Neumann, Omaha Police Department

Jim Begley, Human Resources Department

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

City Clerk Elizabeth Butler stated that the public hearing for Items 46 through 48 would be held together.

46. ORD. 41765 – An ordinance requested by Councilmembers Ben Gray and Chris Jerram to adopt a new Article II of Chapter 48 of the Omaha Municipal Code, entitled “Rental Dwelling Registration and Inspection”; to provide for the required registration of all residential rental dwellings as defined herein; to provide for a program of inspections of all residential rental dwellings – (First Reading March 5, 2019; Second Reading and Public Hearing March 12, 2019; Third Reading March 19, 2019) – [see attached](#). **(PUBLIC HEARING TODAY)**

47. ORD. 41766 – An ordinance requested by Councilmember Brinker Harding to adopt a new Article II of Chapter 48 of the Omaha Municipal Code, entitled “Rental Property Registration and Inspection”; to provide for the required registration of all residential rental properties; to provide for a program of inspections of residential rental properties with recent history of code violations – (First Reading March 5, 2019; Second Reading and Public Hearing March 12, 2019; Third Reading March 19, 2019) – [see attached](#). **(PUBLIC HEARING TODAY)**



48. ORD. 41767 – An ordinance requested by Mayor Jean Stothert to adopt a new Article II of Chapter 48 of the Omaha Municipal Code, entitled “Rental Property Registration and Inspection”; to provide for the required registration of all residential rental properties; to provide for a program of inspections of all residential rental properties in phases – (First Reading March 5, 2019; Second Reading and Public Hearing March 12, 2019; Third Reading March 19, 2019) – [see attached](#). **(PUBLIC HEARING TODAY)**

**THE FOLLOWING ARE COMMUNICATIONS RECEIVED FOR ITEMS 46-48**

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

*COUNCILMEMBER JERRAM LEFT THE LEGISLATIVE CHAMBERS AT 3:44 P.M.*

*COUNCILMEMBER JERRAM RETURNED TO THE LEGISLATIVE CHAMBERS AT 3:45 P.M.*

*COUNCILMEMBER FESTERSEN LEFT THE LEGISLATIVE CHAMBERS AT 4:22 P.M.*

*COUNCILMEMBER FESTERSEN RETURNED TO THE LEGISLATIVE CHAMBERS AT 4:24 P.M.*

Council President Gray opened the Public Hearing on Items 46 through 48.

The following person(s) appeared and spoke:

**FOR THE CITY:**

Jean Stothert, Mayor  
Stu Craven, Planning Department

**PROPONENTS:**

Erin Feichtinger, Together, 2719 North 49th Avenue  
Karen McElroy, Omaha Together One Community, 2046 West 49th Avenue  
Shawn Ilahi, Habitat for Humanity of Omaha, 1701 North 24th Street  
Hellen Okwir, Omaha Together One Community, 7512 Poppleton Plaza  
Bob Benzal, Omaha Together One Community, 132 North 33rd Street  
Chase Vanderveen, Omaha Together One Community, 5122 Northwest Radial Highway #16  
Terry Ferguson, Omaha Together One Community, 6435 Prairie Avenue  
Joe Garcia, Family Housing Advisory Service, 2401 Lake Street  
Shelby Larson, Omaha Healthy Kids Alliance, 4693 Marcy Street  
Eh Htoo, Omaha Together One Community, 5829 North 93rd Street  
Ta bi Tha, Omaha Together One Community, 6704 Curtis Avenue (interpreted by Paw Htoo)  
Mindy Paces, Heartland Family Service, 15205 Hillsdale Avenue  
Bev Hornig, Omaha Together One Community, 1613 Crawford Road  
Rosie Volkmer, Omaha Together One Community, 2539 North 55th Street  
James Ballarin, Omaha Together One Community, 502 South 34th Street  
Rev. Scott Schreve, St. Paul United Methodist Church, 312 South 16th Street #1006  
Eliza Perry, Gifford Park Neighborhood Association, 3409 California Street  
Rhonda Stuberg, Blackstone Neighborhood Association, 3708 Farnam Street  
Chris Foster, Omaha Together One Community, 3413 California Street  
Gerry Sullivan, Omaha Together One Community, 132 North 33rd Street  
Michelle Goodwin, Omaha Together One Community, 2223 Jones Street #11

PROPOSERS (continued):

Marcia Anderson, Omaha Together One Community, 1300 South 80th Street  
Susan Thomas, Omaha Together One Community, 220 South 31st Avenue #3800  
Dennis Walsh, Omaha Together One Community, 2021 Spencer Street  
Susan Kuhlmann, Omaha Together One Community, 9242 Raven Oaks Drive  
Gloria Austerberry, Omaha Together One Community, 5036 Pinkney Street  
Paul Romero, Omaha Together One Community, 1102 Park Avenue #3  
Hannah Wyble, Restoring Dignity, 2532 South 88th Street  
Justin Wayne, State Senator, 8937 North 56th Circle Avenue  
Zach Reinhardt, 4152 Davenport Street  
Corlando Montgomery, 2559 Ellison Avenue  
Doug Dohse, Omaha Area Board of Realtors, 11830 Nicholas Street  
Desiree Nownes, Creighton University, 2500 California Plaza  
Steve Andersen, 6244 Oak Hills Plaza  
Adi Pour, Douglas County Health Department, 9727 Spring Street  
Mark Vondrasek, 211 South 37th Street  
Jack Dunn, Policy Research & Innovation, 1214 North 34th Street  
George Achola, Burlington Capital, 1004 Farnam Street  
Ed Wortman, Omaha Together One Community, 3502 Burt Street  
Paw Bway Htoo, Omaha Together One Community, 4712 North 52nd Street

**Council President Gray called for a recess. No objections were made.**

Meeting recessed at 4:45 P.M.

Meeting reconvened at 4:51 P.M.

City Clerk Elizabeth Butler took the Roll Call: Present were Councilmembers Harding, Jerram, Melton, Pahls, Palermo, Festersen, Mr. President (Gray)

Council President Gray continued the Public Hearing on Items 46 through 48.

The following person(s) appeared and spoke:

OPPOSERS:

Kennetta Wainwright, 1249 South 14th Street  
Lauren Brasch, 1023 North 122nd Street  
Jan Davis, 10101 South 172nd Circle  
Doug Kagan, Nebraska Taxpayers for Freedom, 416 South 130th Street  
Paul Kimmons, 1808 North 87th Street  
Joginder Singh Pattak, 4609 Grebe Street  
Gene Eckel, Apartment Association of Nebraska, 17838 Burke Street #250  
Nathan Merrill, Rose Property Group, 1303 North 110th Plaza #604  
Michelle Brown, 4609 Grebe Street  
Tracy Schumacher, 1017 North 63rd Street  
Doug Schumacher, 1017 North 63rd Street  
Jim Marek, 1109 Lafayette Drive  
Rick McDonald, Metropolitan Omaha Property Owners Association, 1224 North 122nd Street  
Larry Storer, 5015 Lafayette Avenue  
John Seigel, 16116 Chicago Street  
Roosevelt Lee, Colonial Properties, 4911 Ames Avenue #24

OPPONENTS (continued):

Gary Stoneburg, 21126 Arbor Court, Elkhorn, NE

David Levy, Apartment Association of Nebraska, 1700 Farnam Street

Pierce Carpenter, 4832 Farnam Street

John Chatelain, Metropolitan Omaha Property Owners Association, 14707 California Street #1

Gus Dworak, Metropolitan Omaha Property Owners Association, 624 Beverly Drive

Sarah Steinhilber, 5916 Camden Avenue

Michael George, Metropolitan Omaha Property Owners Association, 12102 South 51st Street

Jerry Reimer, 4880 South 131st Street #3

Luis Jimenez, Parker Action Alliance, 2205 North 24th Street

Jeremy Prunty, 11726 188th Circle, Bennington, NE

Collin Schwartz, Brick Town Management, 1004 Wicklow Circle

Michael Wiggins, 7802 North 81st Street

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

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**NON-ACTION ITEMS**

(Items 49 through 58 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 MARCH 26, 2019)

**STONE ARCH CREEK**

49. RES. 2019-226 – Res. that, the Preliminary Plat entitled Stone Arch Creek, located at 13909 North 64th Plaza, with request for waivers to Section 53-8-4(d), Lot frontage; Section 53-9(3), Street surfacing; and Section 53-9(9), Sidewalks, along with the conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized. The applicant is Sean Negus – Outside City Limits – [see attached](#). **(LAID OVER TO THE MARCH 19, 2019 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 51)**
- A. Planning Board recommends approval, with waivers to Section 53-8-4(d) Lot Frontage, Section 53-9(3) Street Surfacing, and Section 53-9(9) Sidewalks – [see attached](#).
- B. Planning Department recommends approval, with a waiver of Section 53-9(9) Sidewalks but DENIAL of waivers to Section 53-8-4(d) Lot Frontage and Section 53-9(3) Street Surfacing – [see attached](#).
50. RES. 2019-227 – Res. that, the Final Plat entitled Stone Arch Creek, located at 13909 North 64th Plaza, is hereby approved and accepted. The applicant is Sean Negus – Outside City Limits – [see attached](#). **(LAID OVER TO THE MARCH 19, 2019 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 51)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).

51. RES. 2019-228 – Res. that, the Special Use Permit application submitted by Sean Negus, for a Special Use Permit to allow development in the ED-North Hills Environmental Overlay District located at 13909 North 64th Plaza, 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 – [see attached](#). **(LAID OVER TO THE MARCH 19, 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](#).

#### **MULTIPLE IMPROVEMENT DISTRICTS ON FIRST READING**

52. ORD. 41768 – An ordinance to create Multiple Improvement District No. 2019-02, in the City of Omaha, for the purpose of improving two areas along South 30th Street, near Dewey Avenue, by installing storm and sanitary sewerage, addressing sidewalks and paving roadway areas; to fix and define the boundaries of said district; to provide for the determination and assessment of damages, if any, occasioned by reason of change of grade; to authorize the Public Works Department, barring protest to the contrary in accordance with OMC 26-65, to complete the associated improvement project – **(First Reading March 12, 2019; Second Reading March 19, 2019; Third Reading, Public Hearing and Vote April 2, 2019)** – [see attached](#).
53. ORD. 41769 – An ordinance to create Multiple Improvement District No. 2019-03, in the City of Omaha, for the purpose of improving three areas along Park Avenue and South 31st Street, between Marcy Street and Woolworth Avenue, by installing storm and sanitary sewerage, addressing sidewalks and paving roadway areas; to fix and define the boundaries of said district; to provide for the determination and assessment of damages, if any, occasioned by reason of change of grade; to authorize the Public Works Department, barring protest to the contrary in accordance with OMC 26-65, to complete the associated improvement project – **(First Reading March 12, 2019; Second Reading March 19, 2019; Third Reading, Public Hearing and Vote April 2, 2019)** – [see attached](#).

#### **RESOLUTION**

54. RES. 2019-207 – Res. that, the Millwork Commons Redevelopment Project Plan, for the redevelopment plan area generally bounded by Seward Street on the north, 11th Street on the east, Nicholas and Izard Streets on the south and the mid-block point between 13th and 14th Streets on the west, including public right-of-way and the right-of-way of adjacent public streets, which proposes the redevelopment of several buildings within the redevelopment plan area for office, retail, multi-family and mixed-use purposes, undertaken in several phases, recommends the City's participation through redevelopment bond funds and public improvements, as required, as analyzed and determined to be in conformance with the Community Development Law and as recommended by the City Planning Department, be and hereby is approved – [see attached](#). **(LAID OVER TO THE MARCH 19, 2019 CITY COUNCIL MEETING TO ADVERTISE FOR PUBLIC HEARING)**

## ORDINANCES ON FIRST READING

55. ORD. 41770 – An ordinance approving an amendment to a grant award contract with the Nebraska Department of Natural Resources for the Combined Sewer Overflow (CSO) Program, 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 authorize the increase of grant funds received in the amount of \$1,030,952.00, as outlined in the amendment; to provide for reimbursements to a specific account – (**First Reading March 12, 2019**; Second Reading and Public Hearing March 19, 2019; Third Reading April 2, 2019) – [see attached](#).
56. ORD. 41771 – An ordinance to accept the bid from Choppers Lawn Services in the amount of \$40,000.00 for grounds maintenance at the Papillion Creek Wastewater Treatment Plant for a period of one year, with sole option by the City to extend the price agreement for up to four additional one-year periods; providing for the payments from appropriations of more than one year in accordance with Section 5.17 of the Home Rule Charter of 1956 as amended; to authorize the Purchasing Agent to issue a purchase order – (**First Reading March 12, 2019**; Second Reading and Public Hearing March 19, 2019; Third Reading April 2, 2019) – [see attached](#).
57. ORD. 41772 – An ordinance declaring the necessity of acquiring, for use by the City of Omaha, the necessary private property for the purpose of constructing Cole Creek 204, Phase 3, project identified as OPW 53206; providing that the City negotiate with the property owners for land acquisition, permanent easements and temporary construction easements, providing that if said parcel cannot be obtained by negotiation, condemnation proceedings be undertaken and completed – (**First Reading March 12, 2019**; Second Reading and Public Hearing March 19, 2019; Third Reading April 2, 2019) – [see attached](#).
58. ORD. 41773 – An ordinance to approve an Investment Advisory Services and Fee Agreement, involving the payment of funds 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, between the City of Omaha and Advanced Capital Group, Inc. to provide services related to the City of Omaha's 457 plan for such period as is mutually beneficial to both parties; to authorize the Finance Director to make payments to Advanced Capital Group, Inc. in the annual amount of \$42,500.00 in accordance with such Agreement from General Fund No. 11111, Org. No. 119014, Professional Fees 42239 if such fees are not paid as part of agreements by the City of Omaha's 457 Plan participants – (**First Reading March 12, 2019**; Second Reading and Public Hearing March 19, 2019; Third Reading April 2, 2019) – [see attached](#).

## EXECUTIVE SESSION

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

**ADJOURNMENT**

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

**ROLL CALL:**

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

**Nays: None**

**MOTION APPROVED 7-0**

**MEETING ADJOURNED AT: 6:37 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 March 12, 2019.

WITNESS:

s/Talia Smith

\_\_\_\_\_  
Talia Smith, Senior Administrative Clerk

CITY CLERK:

s/Elizabeth Butler

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Elizabeth Butler