



JOURNAL RECORD

CITY OF OMAHA CITY COUNCIL MEETING

TUESDAY, APRIL 16, 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, April 16, 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 Palermo, Festersen, Harding, Jerram, Melton, Pahls, Mr. President (Gray) – **CCID # 2019-360**.

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

Councilmember Brinker Harding of District No. 6 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 April 12, 2019, notice of the Pre-Council and Regular City Council Meetings, April 16, 2019 – **CCID # 2019-361**.

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 ORDINANCES ON FINAL READING WITH PLANNING BOARD ATTACHMENTS

(Required notice of the public hearing relating to this development was published in the Daily Record on April 2, 2019.)

6. ORD. 41785 – An ordinance to approve a Major Amendment to a PUD-Planned Unit Development Overlay District located northeast of 27th and Cuming Streets, to approve the Development Plan – (First Reading April 2, 2019; Second Reading April 9, 2019; Third Reading, Public Hearing and Vote April 16, 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 6.

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

MOTION by Melton, SECOND by Festersen that ORDINANCE # 41785 be approved

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

(Required notice of the public hearing relating to this development was published in the Daily Record on April 2, 2019.)

7. ORD. 41788 – An ordinance to rezone property located at 1256 South 13th Street from GI-General Industrial District to NBD-Neighborhood Business District (property is located within an ACI-1 Overlay District) – (First Reading April 2, 2019; Second Reading April 9, 2019; Third Reading, Public Hearing and Vote April 16, 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 7.

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

MOTION by Harding, SECOND by Gray that ORDINANCE # 41788 be approved

ROLL CALL:

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

MOTION APPROVED 7-0

City Clerk Elizabeth Butler stated that Items 8 through 10 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 April 2, 2019.)

8. ORD. 41786 – An ordinance to rezone property southeast of 252nd and Blondo Streets from AG-Agricultural District and DR-Development Reserve District to AG-Agricultural District (property is located within the FF-Flood Fringe Overlay District) – (First Reading April 2, 2019; Second Reading April 9, 2019; Third Reading, Public Hearing and Vote April 16, 2019) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

9. ORD. 41787 – An ordinance to rezone property southeast of 252nd and Blondo Streets from AG-Agricultural District and DR-Development Reserve District to DR-Development Reserve District (property is located within the FF-Flood Fringe Overlay District) – (First Reading April 2, 2019; Second Reading April 9, 2019; Third Reading, Public Hearing and Vote April 16, 2019) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

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

10. RES. 2019-302 – Res. that, the Special Use Permit application submitted by Clinton R. Pirtle for a Special Use Permit to allow Agricultural sales and service in an AG District (property is located in a FF-Flood Fringe Overlay District), located at 1701 North 252nd Street, 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 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 Items 8 through 10.

The following person(s) appeared and spoke:

PROPOSERS:
Jason Thiellen, E&A Consulting, 10909 Mill Valley Road

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

**MOTION by Harding, SECOND by Melton that the following items be approved:
Item # 8 ORDINANCE # 41786; Item # 9 ORDINANCE # 41787; and,
Item # 10 RESOLUTION # 2019-302**

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

LIQUOR

11. RES. 2019-372 – Class "C" Liquor License Application – MNT Stoli's, LLC, dba "Stoli's Lounge", 715 North 120th Street. (This is a new application for an old location). Present licensee is AJD, LLC, dba "Stoli's Lounge", who has a Class "C" Liquor License – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

Council President Gray opened the Public Hearing on Item 11.

The following person(s) appeared and spoke:

PROPOSERS:
Ben Pink, Attorney for the applicant, 10250 Regency Circle

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

MOTION by Melton, SECOND by Festersen that RESOLUTION # 2019-372 be approved

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

12. RES. 2019-373 – Class “I” Liquor License Application – Gardens by Kim, LLC, dba “Gardens by Kim”, 4915 Underwood Avenue #1. (This is a new application for a new location). Notice was posted on the property on 04-01-19; Notification was sent to property owners within 500 feet on 04-05-19 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

Council President Gray opened the Public Hearing on Item 12.

The following person(s) appeared and spoke:

PROPOSERS:

Kim Kneifl, 4915 Underwood Avenue

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

MOTION by Festersen, SECOND by Gray that RESOLUTION # 2019-373 be approved

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

13. RES. 2019-374 – Class “IK” Liquor License Application – Italian Restaurant Group, LLC, dba “Carrabba’s Italian Grill”, 14520 West Maple Road. (This is a new application for an old location). ADDING CLASS “K” LICENSE. Present licensee is CIGI Nebraska, Inc., dba “Carrabba’s Italian Grill”, who has a Class “I” Liquor License. Notice was posted on the property on 04-02-19; Notification was sent to property owners within 500 feet on 04-05-19 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

Council President Gray opened the Public Hearing on Item 13.

The following person(s) appeared and spoke:

PROPOSERS:

Melissa Veitch, 14520 West Maple Road

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

MOTION by Melton, SECOND by Harding that RESOLUTION # 2019-374 be approved

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

- 14. RES. 2019-375 – Class “I” Liquor License Application – Madison A. Weir Group, LLC, dba “The Corner Kick”, 13806 “P” Street. (This is a new application for an old location). Present licensee is Summer Nights, LLC, dba “The Taco Mill/The Corner Kick”, who has a Class “I” Liquor License – [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:
Paul McCrae, 17057 Weir Street
Rachel McCrae, 17057 Weir Street

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

MOTION by Harding, SECOND by Melton that RESOLUTION # 2019-375 be approved

ROLL CALL:

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

MOTION APPROVED 7-0

- 15. RES. 2019-376 – Class “D” Liquor License Application – TFL, Inc., dba “Mega Saver”, 2505 Abbott Drive Plaza. (This is a new application for an old location). Present licensee is Petro III, LLC, dba “Kicks 66”, who has a Class “D” Liquor License – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

Council President Gray opened the Public Hearing on Item 15.

The following person(s) appeared and spoke:

PROPOSERS:
Kamol Samiev, 2505 Abbott Drive Plaza
Tabitha Rodenbough, 2505 Abbott Drive Plaza

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

MOTION by Melton, SECOND by Harding that RESOLUTION # 2019-376 be approved

ROLL CALL:

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

MOTION APPROVED 7-0

- 16. RES. 2019-377 – Addition Application – Dano1_Consortium, Inc., dba “Acadian Grille”, 725 North 114th Street, requests permission for an addition to their present Class “I” Liquor License location of an outdoor area approx. 15’ x 11’ to the west. Notice was posted on the property on 04-04-19; Notification was sent to property owners within 500 feet on 04-05-19 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

Council President Gray opened the Public Hearing on Item 16.

The following person(s) appeared and spoke:

PROPOSERS:

Daniel O'Brien, 725 North 114th Street

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

MOTION by Melton, SECOND by Gray that RESOLUTION # 2019-377 be approved

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

17. RES. 2019-378 – Addition Application – Omaha Exposition & Racing, Inc., dba “Horsemen’s Park”, 6303 Q” Street, requests permission for an addition to their present Class “CK” Liquor License location of the infield outdoor area approx. 1480’ x 680’ to the southwest. Notice was posted on the property on 04-01-19; Notification was sent to property owners within 500 feet on 04-05-19 – [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:

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

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

MOTION by Palermo, SECOND by Festersen that RESOLUTION # 2019-378 be approved

ROLL CALL:

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

Nays: None

Pass: Jerram

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

MOTION APPROVED 6-0-1

CONSENT AGENDA

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

Council President Gray announced that the public hearings on Agenda Items 18 and 19 were held on April 9, 2019.

(Required notices of the public hearings were published in the Daily Record on April 5, 2019.)

CONSENT AGENDA – ORDINANCES

- 18. ORD. 41789 – An ordinance, as recommended by the Mayor, in accordance with Section 5.17 of the Home Rule Charter, the bid of RTG Building Services, Inc. dba LP Building Service Group in the amount of \$13,165.00 annually, (2019 \$13,165.00; 2020 \$13,165.00; for a total contract amount of \$26,330.00) for window washing services for the ten Omaha Public Libraries, in accordance with the lowest bid submitted meeting specifications for a period of two years, commencing April 15, 2019, is hereby approved – (First Reading April 2, 2019; Second Reading and Public Hearing April 9, 2019; Third Reading April 16, 2019) – [see attached](#).

- 19. ORD. 41790 – An ordinance to approve the acceptance of and authorize disbursement over more than one fiscal year from the U.S. Department of Housing and Urban Development, Office of Lead Hazard Control and Healthy Homes, FY 2018 Lead-Based Paint Hazard Reduction Grant, Award #NELHB0688-18, in the amount of \$3,106,271.00, match in the amount of \$550,000.00, and total program amount of \$3,656,271.00, during the project period extending from April 1, 2019 to September 30, 2022; to provide funding for lead hazard control services for up to 150 housing units in targeted areas of substandard housing; 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 April 2, 2019; Second Reading and Public Hearing April 9, 2019; Third Reading April 16, 2019) – [see attached](#).

**MOTION by Festersen, SECOND by Harding that the following items be approved:
Item # 18 ORDINANCE # 41789; and, Item # 19 ORDINANCE # 41790**

ROLL CALL:

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

Council President Gray announced that the public hearings on Agenda Items 20 through 30 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

- 20. RES. 2019-379 – Manager’s Application – Veterans FW Benson 2503, dba “Veterans FW Benson 2503”, 8900-04 Military Road, requests permission to appoint Daniel P. Raabe manager of their present Class “I” Liquor License location – [see attached](#).

21. RES. 2019-380 – Res. that, as recommended by the Mayor, the pricing agreement extension with 3M Company, in the amount of \$100,000.00 for the purchase of reflective sign sheeting stock to be utilized by the Traffic Maintenance Division through January 31, 2021 is hereby approved. (The Finance Department is authorized to pay the cost of this purchase in the amount of \$100,000.00 from the Street and Highway Allocation Fund 12131, Traffic Control Signs Organization 116188, year 2019 funding.) – [see attached](#).
22. RES. 2019-381 – Res. that, as recommended by the Mayor, the Professional Services Agreement with John A. Moran & Associates LLC in the amount of \$26,100.00 to provide professional services on OPW 52336 being the 24th Complete Street Project ("L" to Leavenworth), is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$26,100.00 from the 2018 Transportation Bond Fund 13185, Transportation Bonds Organization 117117, year 2019 expenditure.) – [see attached](#).
23. RES. 2019-382 – Res. that, as recommended by the Mayor, the Supplemental Agreement No. 1 with HDR Engineering, Inc., in the amount of \$1,819.03 for engineering services on the 168th Street Improvement – West Center to Pacific Street, known as Project STPC-3811(2), State Control No. 22210, and OPW 51016, as stewarded by the Nebraska Department of Transportation, is hereby approved. (To be paid from the 2018 Transportation Bond Fund 13185, Transportation Bonds Organization 117117. The City Council hereby authorizes the Mayor and City Clerk to sign the Agreement on behalf of the City of Omaha.) – [see attached](#).
24. RES. 2019-383 – Res. that, as recommended by the Mayor, the Real Estate Purchase Agreement between the City of Omaha and the Omaha Municipal Land Bank, for the sale of twelve City-owned parcels of property; to provide that notwithstanding any provisions of the Omaha Municipal Code to the contrary and upon completion of the conditions in the Agreement, the Mayor of the City of Omaha is hereby authorized to execute and deliver a Special Warranty Deed, and the City Clerk to attest the same, to the Omaha Municipal Land Bank to convey the real property described therein and City Staff are authorized to execute any other such documents necessary or appropriate to complete the sale of the real property described in the Agreement, which real property is generally known as: 3420 Boyd Street, 3408 Sahler Street, 4209 Ellison Avenue, 4336 Camden Avenue, 4522 Browne Street, 3311 Manderson Street, 3028 Pinkney Street, 3941 Blondo Street, 1706 North 36th Street, 3502 Hamilton Street, 1523 North 35th Street, and 3410 Seward Street, in consideration of the sum of \$1.00; and no expenses associated with the transfer of these properties – [see attached](#).
 - A. Planning Board and Planning Department recommend approval – [see attached](#).
25. RES. 2019-384 – Res. that, as recommended by the Mayor, the Resolution in the total amount of \$38,285.70 from SIEREX Design and Construction is to provide flooring and interior walls per contract documents, located at Columbus Park Community Center, Omaha, Nebraska, is hereby accepted. (The Purchasing Agent is authorized to issue a purchase order in conformance herewith; and that the Finance Department is authorized to pay the Funds in the amount of \$38,285.70 from Fund No. 13356, Organization No. 117317, Project I.D. No. 2005P507.) - [see attached](#).

26. RES. 2019-385 – Res. that, as recommended by the Mayor, in accordance with Section 5.16 of the Home Rule Charter of the City of Omaha, 1956, the Omaha Public Library is hereby authorized to purchase unique and non-competitive products and services from Innovative Interfaces, Inc. in an amount not to exceed \$44,233.20 for the annual subscription and maintenance of Sierra (software for integrated library management) for a one year term beginning May 1, 2019 and ending on April 30, 2020. (The Finance Department is authorized to pay \$44,233.20 for the cost of products and services from the 2019 General Fund 11111, Organization 117017, Account 42266.) – [see attached](#).
27. RES. 2019-386 – Res. that, as recommended by the Mayor, that anticipated expenditures in the estimated amount of \$50,000.00, for helicopter engine components, parts, and services provided by Keystone Engine Services in 2019, 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 an estimated \$50,000.00 for helicopter engine components, parts, and services from Year 2019, General Fund 11111, Organization 113812 Air Support Unit, Account 42237 Aviation Expense.) – [see attached](#).
28. RES. 2019-387 – Res. that, as recommended by the Mayor, the bid of Ed M. Feld Equipment Co., Inc., dba Feld Fire in the total amount of \$35,064.00 for the purchase of SCOTT SCBA Cylinders is hereby approved. (The Finance Department is authorized to pay the cost of such purchase from the Omaha Fire Department budget – General Fund No. 11111, Organization 114561, Account 43254.) – [see attached](#).
29. RES. 2019-388 – Res. that, the Mayor is authorized to sign and the City Clerk to attest the Professional Services Agreement-Transition Assistance between the City of Omaha and Caroline Gillan Consulting for a period from March 15, 2019 to May 15, 2019 at an hourly rate of \$50.00 per hour for a maximum amount of \$10,000.00 which is addition to any amounts previously paid for the first part of 2019, plus the reimbursement of costs and funding for such Agreement. (Shall come from 2019 Budget-General Fund 11111, Organization 107024, Account 42239 (Professional Fees-Other).) – [see attached](#).
30. RES. 2019-389 – Res. that, the following be, and they hereby are and each of them hereby is, approved: the actions of the Omaha-Douglas Public Building Commission in offering for sale its \$6,045,000.00 Omaha-Douglas Public Building Commission Bonds, Series 2019 (City of Omaha and the County of Douglas, Nebraska, tenants), the amount of said bonds; the rates of interest to be borne by said bonds; the maturity schedule of said bonds; the redemption provision of said bonds; the method of sale of said bonds; the purchase price for said bonds; the Official Statement concerning said bonds and the distribution thereof; the Supplemental Bond Resolution providing for the issuance and sale of said bonds; the issuance by the Commission of said bonds bearing the rates of interest specified above; and said bonds being the 2019 Bonds described in the Sixteenth Supplemental Agreement – [see attached](#).

Council President Gray opened the Public Hearing on Items 20 through 30.

The following person(s) appeared and spoke:

OPPONENTS:

Item # 24 – Mark Vondrasek, 211 South 37th Street

Items # 24 and # 30 – Larry Storer, 5015 Lafayette Avenue

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

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

Item # 20 RESOLUTION # 2019-379; Item # 21 RESOLUTION # 2019-380;
Item # 22 RESOLUTION # 2019-381; Item # 23 RESOLUTION # 2019-382;
Item # 24 RESOLUTION # 2019-383; Item # 25 RESOLUTION # 2019-384;
Item # 26 RESOLUTION # 2019-385; Item # 27 RESOLUTION # 2019-386;
Item # 28 RESOLUTION # 2019-387; Item # 29 RESOLUTION # 2019-388; and,
Item # 30 RESOLUTION # 2019-389

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

ORDINANCE ON SECOND READING

31. SPECIAL ORD. 10247 – An ordinance levying a special tax and assessment on certain lots, part of lots and pieces of real estate in the City of Omaha to cover the cost of constructing sidewalks and sidewalk repair – Group No. 2018-01 – (First Reading April 9, 2019; Second Reading and Public Hearing April 16, 2019; Third Reading April 23, 2019) – [see attached](#). **(PUBLIC HEARING TODAY)**

Council President Gray opened the Public Hearing on Item 31.

The following person(s) appeared and spoke:

FOR THE CITY:

Robert Boyd, Public Works

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

NON-ACTION ITEMS

(Items 32 through 60 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.)

H&H WESTROADS

32. ORD. 41792 – An ordinance to amend the boundaries of the ACI-3-Area of Civic Importance Overlay District, to incorporate into that district the property located at 716 North 102nd Street – (First Reading April 9, 2019; **Second Reading April 16, 2019**; Third Reading, Public Hearing and Vote April 23, 2019) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).

33. RES. 2019-340 – Res. that, the Preliminary Plat entitled H&H Westroads, a minor plat inside the city limits, located at 716 North 102nd Street, along with the conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized. The applicant is Noddle Companies – Inside City Limits – [see attached](#). **(LAID OVER TO THE APRIL 23, 2019 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 32 AND TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**

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

34. RES. 2019-341 – Res. that, the Final Plat entitled H&H Westroads, a minor plat inside the city limits, located at 716 North 102nd Street, is hereby approved and accepted. The applicant is Noddle Companies – Inside City Limits – [see attached](#). **(LAID OVER TO THE APRIL 23, 2019 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 32 AND TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**

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

33 MASON NORTH REPLAT 1

35. ORD. 41795 – An ordinance to approve a Major Amendment to a PUR-Planned Unit Redevelopment Overlay District located northwest of 33rd and Mason Streets, to approve the Development Plan – **(First Reading April 16, 2019; Second Reading April 23, 2019; Third Reading, Public Hearing and Vote April 30, 2019)** – [see attached](#).

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

36. RES. 2019-362 – Res. that, the Preliminary Plat entitled 33 Mason North Replat 1, a minor plat inside the city limits, with a waiver of Section 53-8(4)(a), Lot depth, located northwest of 33rd and Mason Streets, along with the conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized. The applicant is Uptown Properties, LLC – Inside City Limits – [see attached](#). **(LAID OVER TO THE APRIL 30, 2019 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 35 AND TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**

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

37. RES. 2019-363 – Res. that, the Final Plat entitled 33 Mason North Replat 1, located northwest of 33rd and Mason Streets, is hereby approved and accepted. The applicant is Uptown Properties, LLC – Inside City Limits – [see attached](#). **(LAID OVER TO THE APRIL 30, 2019 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 35 AND TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**

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

38. RES. 2019-364 – Res. that, the Subdivision Agreement among the City of Omaha, Uptown Properties, LLC, and the Uptown Homeowners Association, as recommended by the Mayor, is hereby approved. The Subdivision is to be known as 33 Mason North Replat 1 (Lots 1-12 and Outlots A-C) and is located northwest of 33rd and Mason Streets – [see attached](#). **(LAID OVER TO THE APRIL 30, 2019 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 35)**

33 MASON SOUTH REPLAT 1

39. ORD. 41796 – An ordinance to approve a Major Amendment to a PUR-Planned Unit Redevelopment Overlay District located southwest of 33rd and Mason Streets, to approve the Development Plan – **(First Reading April 16, 2019; Second Reading April 23, 2019; Third Reading, Public Hearing and Vote April 30, 2019)** – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
40. RES. 2019-365 – Res. that, the Preliminary Plat entitled 33 Mason South Replat 1, a minor plat inside the city limits, with a waiver of Section 53-8(4)(a), Lot depth, located southwest of 33rd and Mason Streets, along with the conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized. The applicant is Uptown Properties, LLC – Inside City Limits – [see attached](#). **(LAID OVER TO THE APRIL 30, 2019 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 39 AND TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
41. RES. 2019-366 – Res. that, the Final Plat entitled 33 Mason South Replat 1, located southwest of 33rd and Mason Streets, is hereby approved and accepted. The applicant is Uptown Properties, LLC – Inside City Limits – [see attached](#). **(LAID OVER TO THE APRIL 30, 2019 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 39 AND TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
42. RES. 2019-367 – Res. that, the Subdivision Agreement among the City of Omaha, Uptown Properties, LLC, and the Uptown Homeowners Association, as recommended by the Mayor, is hereby approved. The Subdivision is to be known as 33 Mason South Replat 1 (Lots 1-18 and Outlots A-C) and is located southwest of 33rd and Mason Streets – [see attached](#). **(LAID OVER TO THE APRIL 30, 2019 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 39)**

ANTLER VIEW

43. ORD. 41797 – An ordinance to approve a Major Amendment to a Mixed Use District Development Agreement for Antler View, located southeast of 192nd Street and West Maple Road, to change the current language of the agreement that requires buildings that are constructed to meet the 10 percent office requirement have a single primary entrance and a central lobby, and use the proposed “office condominiums” on Lots 15-16 to meet the office requirement for MU areas, between the City of Omaha and 192 Maple LLC, providing site development standards – **(First Reading April 16, 2019; Second Reading April 23, 2019; Third Reading, Public Hearing and Vote April 30, 2019)** – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
44. ORD. 41798 – An ordinance to approve a Major Amendment to a Mixed Use District Development Agreement for Antler View, located southeast of 192nd Street and West Maple Road, to allow a Custom Manufacturing use on Lot 14, between the City of Omaha and 192 Maple LLC, providing site development standards – **(First Reading April 16, 2019; Second Reading April 23, 2019; Third Reading, Public Hearing and Vote April 30, 2019)** – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).

WOODBROOK WEST

45. ORD. 41799 – An ordinance to rezone property located northwest of 180th and Fort Streets from AG-Agricultural District to R4-Single-Family Residential District (High Density) – **(First Reading April 16, 2019; Second Reading April 23, 2019; Third Reading, Public Hearing and Vote April 30, 2019)** – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
46. RES. 2019-368 – Res. that, the Final Plat entitled Woodbrook West (Lots 1-32 and Outlot A) (formerly Sagewood Ridge), a subdivision outside the city limits, located northwest of 180th and Fort Streets, is hereby approved and accepted. The applicant is Loren Johnson – Celebrity Homes Omaha – Outside City Limits – [see attached](#). **(LAID OVER TO THE APRIL 30, 2019 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 45 AND TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
47. RES. 2019-369 – Res. that, the Subdivision Agreement among the City of Omaha, Celebrity Homes, Inc., Woodbrook West Homeowners Association, and Sanitary and Improvement District (S.&I.D.) 582 of Douglas County, Nebraska, as recommended by the Mayor, is hereby approved. The Subdivision is to be known as Woodbrook West (Lots 1-32 and Outlot A) and is located northwest of 180th and Fort Streets – [see attached](#). **(LAID OVER TO THE APRIL 30, 2019 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 45)**

WATERFORD CROSSING REPLAT 27

48. ORD. 41800 – An ordinance to approve a Major Amendment to a Mixed Use District Development Agreement for Waterford Crossing Replat 27, Lots 1-4 and Outlots A-B, located northeast of 156th and Ida Streets, to incorporate into the table for the Mixed Use District Development Agreement the approved building permit and development of Lots 27 and 28, Waterford Crossing, between the City of Omaha and Dragon Storage, LLC, providing site development standards – (**First Reading April 16, 2019**; Second Reading April 23, 2019; Third Reading, Public Hearing and Vote April 30, 2019) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
49. RES. 2019-370 – Res. that, the Final Plat transmitted herewith entitled Waterford Crossing Replat 27, a subdivision outside the city limits, located northeast of 156th and Ida Streets, is hereby approved, and concurrently a portion of the existing plat entitled Waterford Crossing, and described on said replat, is hereby vacated. The applicant is Dragon Storage, LLC – Outside City Limits – [see attached](#). (**LAI D O V E R T O T H E A P R I L 3 0 , 2 0 1 9 C I T Y C O U N C I L M E E T I N G T O C O I N C I D E W I T H I T E M 4 8 A N D T O A D V E R T I S E F O R P U B L I C H E A R I N G A N D T O N O T I F Y S U R R O U N D I N G P R O P E R T Y O W N E R S**)
- A. Planning Board and Planning Department recommend approval – [see attached](#).
50. RES. 2019-371 – Res. that, the Subdivision Agreement among the City of Omaha, Dragon Storage, LLC, the Waterford Crossing Landowners Association, and Sanitary and Improvement District (S.&I.D.) 441 of Douglas County, Nebraska, as recommended by the Mayor, is hereby approved. The Subdivision is to be known as Waterford Crossing Replat 27 (Lots 1-4 and Outlots A-B), and is located northeast of 156th and Ida Streets – [see attached](#). (**LAI D O V E R T O T H E A P R I L 3 0 , 2 0 1 9 C I T Y C O U N C I L M E E T I N G T O C O I N C I D E W I T H I T E M 4 8**)

PLANNING ORDINANCES ON SECOND READING WITH PLANNING BOARD ATTACHMENTS

51. ORD. 41791 – An ordinance to rezone property located at 7529 Dodge Street from GI-General Industrial District to CC-Community Commercial District (property is located within an ACI-2 Overlay District) – (First Reading April 9, 2019; **Second Reading April 16, 2019**; Third Reading, Public Hearing and Vote April 23, 2019) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
52. ORD. 41793 – An ordinance to rezone property located at 2321 North 73rd Street from R2-Single-Family Residential District (Low-Density) to CC-Community Commercial District – (First Reading April 9, 2019; **Second Reading April 16, 2019**; Third Reading, Public Hearing and Vote April 23, 2019) – [see attached](#).
- A. Planning Board recommends approval – [see attached](#).
B. Planning Department recommends denial – [see attached](#).

53. ORD. 41794 – An ordinance to rezone property located north of HWS Cleveland Boulevard between 171st Street and Kilpatrick Parkway from DR-Development Reserve District to R4-Single Family Residential District (High Density) – (First Reading April 9, 2019; **Second Reading April 16, 2019**; Third Reading, Public Hearing and Vote April 23, 2019) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).

ORDINANCES ON FIRST READING

54. ORD. 41802 – An ordinance approving an Agreement between the City of Omaha, Nebraska and Rollin Terryberry of Cass County Nebraska, 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 the terms and conditions under which Rollin Terryberry will receive and land apply stabilized sewage sludge according to applicable standards, laws and policies of the City of Omaha and other relevant jurisdictions for an agreement period ending December 31, 2022 with up to four automatic one-year renewals; to authorize the Finance Department to pay a sum not to exceed \$0.60 per cubic yard of stabilized sludge from the Sewer Revenue Fund 21121 – (**First Reading April 16, 2019**; Second Reading and Public Hearing April 23, 2019; Third Reading April 30, 2019) – [see attached](#).
55. ORD. 41803 – An ordinance approving an Agreement between the City of Omaha, Nebraska and RSW Farms, Inc. of Cass County Nebraska, 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 the terms and conditions under which RSW Farms, Inc. will receive and land apply stabilized sewage sludge according to applicable standards, laws and policies of the City of Omaha and other relevant jurisdictions for an agreement period ending December 31, 2022 with up to four automatic one-year renewals; to authorize the Finance Department to pay a sum not to exceed \$0.60 per cubic yard of stabilized sludge from the Sewer Revenue Fund 21121 – (**First Reading April 16, 2019**; Second Reading and Public Hearing April 23, 2019; Third Reading April 30, 2019) – [see attached](#).
56. ORD. 41804 – An ordinance approving an Agreement between the City of Omaha, Nebraska and Dam’s Farms, Inc. of Washington and Dodge Counties in Nebraska, 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 the terms and conditions under which Dam’s Farms, Inc. will receive and land apply stabilized sewage sludge according to applicable standards, laws and policies of the City of Omaha and other relevant jurisdictions for an agreement period ending December 31, 2022 with up to four automatic one-year renewals; to authorize the Finance Department to pay a sum not to exceed \$0.40 per cubic yard of stabilized sludge from the Sewer Revenue Fund 21121 – (**First Reading April 16, 2019**; Second Reading and Public Hearing April 23, 2019; Third Reading April 30, 2019) – [see attached](#).

57. ORD. 41805 – An ordinance in accordance with Section 5.10 of the Home Rule Charter of the City of Omaha, 1956, as amended, to transfer \$1,142,639.00 in unencumbered appropriations in the 2018 Budget of the City of Omaha from the Wage Adjustment account to the City departments; and to fix the effective date hereof to be immediately upon passage in accordance with Section 2.12 of the Home Rule Charter of the City of Omaha, 1956, as amended – **(First Reading April 16, 2019;** Second Reading and Public Hearing April 23, 2019; Third Reading April 30, 2019) – [see attached](#).
58. ORD. 41806 – An ordinance (1) to approve an Agreement between the City of Omaha and the Boys & Girls Clubs of the Midlands in the amount of \$91,486.00; and (2) to authorize funding for such agreement from the City of Omaha’s FY 2018 Edward Byrne Memorial Justice Assistance Grant (JAG) Program, Award #2018-DJ-BX-0171, awarded by the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance; to provide funding for two (2) Gang Specialist positions; to authorize payment from such grant funding and involving appropriations of more than one year in conformity with Section 5.17 of the Home Rule Charter – **(First Reading April 16, 2019;** Second Reading and Public Hearing April 23, 2019; Third Reading April 30, 2019) – [see attached](#).
59. ORD. 41801 – An ordinance awarding a contract to Fomento de Construcciones y Contratas, S. A. (FCC) for OPW 53407, being the Omaha Solid Waste Collections Contract 2021-2030, with an estimated annual cost of \$22,691,046.00 and subject to an annual CIP increase of a maximum of 4% per year, for a ten-year term with up to two (2) five-year renewals; to provide for payments involving appropriations of more than one year in accordance with Section 5.17 of the Home Rule Charter, as amended; to provide for payments from a specific account – **(First Reading April 16, 2019;** Second Reading and Public Hearing April 23, 2019; Third Reading April 30, 2019) – [see attached](#).
60. ORD. 41807 – An ordinance to amend Omaha Municipal Code Chapter 18, by creating a new article to prohibit the use and distribution of single use plastic carryout bags at certain retail business establishments; to provide findings of legislative intent, definitions, regulations, and exceptions; to reserve future sections of the Omaha Municipal Code – **(First Reading April 16, 2019;** Second Reading and Public Hearing April 23, 2019; Third Reading April 30, 2019) – [see attached](#).

EXECUTIVE SESSION

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

ADJOURNMENT

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

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

MEETING ADJOURNED AT: 3:18 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 April 16, 2019.

WITNESS:

s/Talia Smith

Talia Smith, Senior Administrative Clerk

CITY CLERK:

s/Elizabeth Butler

Elizabeth Butler