



CITY OF OMAHA REGULAR CITY COUNCIL MEETING OCTOBER 3, 2017

THE CITY COUNCIL met in Regular Session on Tuesday, October 3, 2017 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

1. City Clerk Elizabeth Butler took the Roll Call

CCID # 1137 - Present: Melton, Pahls, Palermo, Harding, Jerram, Mr. President
Absent Entire Meeting: Festersen
2. Council President Ben Gray led those present in the Pledge of Allegiance
3. Councilmember Harding of District No. 6 provided the Invocation

CERTIFICATION OF PUBLICATION – NOTIFICATION OF OPEN MEETING ACT

4. City Clerk Elizabeth Butler certified publication in the Daily Record, the Official Newspaper of the City of Omaha on September 29, 2017, notice of the Pre-Council and Regular City Council Meetings, October 3, 2017 – **CCID # 1138**.

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

5. None

BOND ORDINANCE ON FINAL READING & RESOLUTION

6. ORD. 41267 - An ordinance authorizing and directing an issue of general obligation bonds, an issue of general obligation refunding bonds and an issue of general obligation crossover refunding bonds of the City of Omaha, Nebraska in the aggregate principal amount of not to exceed \$120,800,000 to be termed for identification purposes "Various Purpose and Refunding Bonds, Series 2017A," "General Obligation Refunding Bonds, Series 2017B" and "General Obligation Crossover Refunding Bonds, Series 2017C," respectively; prescribing the form of said bonds; authorizing the sale of said bonds by negotiation; designating for defeasance and redemption certain bonded indebtedness of the City of Omaha and certain sanitary and improvement districts annexed by the City of Omaha, Nebraska; directing the Finance Department to give notices of such defeasance and redemption; directing the preparation of a transcript of proceedings authorizing the issuance, sale and delivery of said bonds; appointing an Escrow Agent, a Paying Agent and Registrar; approving the selections of an underwriter and an escrow verification agent; directing that said bonds shall initially be issued and registered in book entry form; providing for continuing disclosure; delegating authority to the Finance Director to determine the final prices, interest rates, principal amounts and redemption provisions for said bonds; and, providing for the effective date thereof - (First Reading September 19, 2017; Second Reading and Public Hearing September 26, 2017; Third Reading October 3, 2017) – [see attached](#). **(VOTE TODAY)**
Notice of the public hearing on September 26, 2017 was published in the Daily Record on September 22, 2017. Ordinance as approved on October 3, 2017 published in the Daily Record on October 11, 2017.

Motion by Jerram that **ORDINANCE # 41267** be approved

Seconded by Melton

ROLL CALL:

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

Nays: None

MOTION APPROVED 6-0

7. Res. that, the Preliminary Official Statement pertaining to the issuance and sale of general obligation and refunding bonds titled "Various Purpose and Refunding Bonds, Series 2017A," "General Obligation Refunding Bonds, Series 2017B," and "General Obligation Crossover Refunding Bonds, Series 2017C," in Exhibit A; the Preliminary Official Statement is deemed final as of its date, within the meaning of Rule 15c2-12 under the Securities Exchange Act of 1934, as amended (except for certain omissions permitted by said Rule 15c2-12); the Finance Director of the City of Omaha is hereby authorized to deliver the Preliminary Official Statement on behalf of the City of Omaha; the distribution of the Preliminary Official Statement by the prospective underwriter of the Various Purpose and Refunding Bonds, Series 2017A, the General Obligation Refunding Bonds, Series 2017B, and the General Obligation Crossover Refunding Bonds, Series 2017C, is hereby approved; that the Bond Purchase Agreement pertaining to the issuance and sale of the Various Purpose and Refunding Bonds, Series 2017A, the General Obligation Refunding Bonds, Series 2017B, and the General Obligation Crossover Refunding Bonds, Series 2017C, by the City of Omaha, Nebraska to the prospective underwriter in Exhibit B – CCID 1145 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

President Gray called for the public hearing to begin. No one came forward, and the public hearing was closed.

Motion by Jerram that **RESOLUTION # 1145** be approved
Seconded by Melton
ROLL CALL:
Yeas: Melton, Pahls, Palermo, Harding, Jerram, Mr. President
Nays: None
MOTION APPROVED 6-0

PLANNING ITEMS WITH PLANNING BOARD ATTACHMENTS

Sagewood Pointe

8. ORD. 41268 – An ordinance to rezone property located southeast of 180th and Fort Streets from AG-Agricultural District to R4-Single Family Residential District (High Density). The applicant is Celebrity Homes Omaha – (First Reading September 19, 2017; Second Reading September 26, 2017; Third Reading, Public Hearing and Vote October 3, 2017) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
Notice of the public hearing on October 3, 2017 was published in the Daily Record on September 19, 2017. Ordinance as approved on October 3, 2017 published in the Daily Record on October 11, 2017.

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

PUBLIC HEARING – The following persons appeared and spoke:

PROPOSERS: John Fullenkamp, 11440 West Center Road, Attorney for the applicant

OPPOSERS:

FOR THE CITY:

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

Motion by Harding that **ORDINANCE # 41268** be approved

Seconded by Jerram

ROLL CALL:

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

Nays: None

MOTION APPROVED 6-0

9. Res. that, the Final Plat entitled Sagewood Pointe (Lots 1-80 and Outlots A-G), located southeast of 180th and Fort Streets, is hereby approved and accepted. The applicant is Celebrity Homes Omaha – Outside City Limits – held over from the September 19, 2017 City Council Meeting for publication and notifications – CCID 1095 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

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

PUBLIC HEARING – The following persons appeared and spoke:

PROPOSERS: John Fullenkamp, 11440 West Center Road, Attorney for the applicant

OPPOSERS:

FOR THE CITY:

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

Motion by Harding that **RESOLUTION # 1095** be approved

Seconded by Jerram

ROLL CALL:

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

Nays: None

MOTION APPROVED 6-0

- 10. Res. that, the Subdivision Agreement among the City of Omaha, Celebrity Homes, Inc., a Nebraska corporation, the Sagewood Pointe Homeowners Association, and Sanitary and Improvement District (S.&I.D.) 582 of Douglas County, Nebraska, as recommended by the Mayor, providing for the public improvements, 1% administrative fee, Interceptor Sewer Fee, Watershed Management Fee, Parks fees, interceptor sewer construction, and sewer connection to the Omaha Sanitary Sewer System, is hereby approved. The total cost of the interceptor sewer, currently estimated at \$2,602,696.00, shall be paid from Interceptor Sewer Construction Organization 116921, Fund 12133. The subdivision is to be known as Sagewood Pointe (Lots 1-80 and Outlets A-F) and is located southeast of 180th and Fort Streets – held over from the September 19, 2017 City Council Meeting – CCID 1096 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

PUBLIC HEARING – The following persons appeared and spoke:

PROPOSERS: John Fullenkamp, 11440 West Center Road, Attorney for the applicant

OPPOSERS:

FOR THE CITY:

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

Motion by Harding that **RESOLUTION # 1096** be approved

Seconded by Jerram

ROLL CALL:

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

Nays: None

MOTION APPROVED 6-0

* * * * *

LIQUOR

- 11. Class “I” Liquor License Application – Cutch, Inc., dba “First Watch – Center”, 2855 South 168th Street. (This is a new application for a new location.) Notice was posted on the property on 09/19/17; Notification was sent to property owners within 500 feet on 09/21/17 – CCID 1120 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

PUBLIC HEARING – The following persons appeared and spoke:

PROPOSERS: Bill Nervig, 15314 Jones Circle, CFO for Cutch, Inc.

OPPOSERS:

FOR THE CITY:

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

Motion by Melton that **RESOLUTION # 1120** be approved

Seconded by Harding

ROLL CALL:

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

Nays: None

MOTION APPROVED 6-0

12. Class "I" Liquor License Application – Cutch, Inc., dba "First Watch – Maple", 3605 North 147th Street, Suite 108. (This is a new application for a new location.) Notice was posted on the property on 09/19/17; Notification was sent to property owners within 500 feet on 09/21/17 – CCID 1121 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

PUBLIC HEARING – The following persons appeared and spoke:

PROPONENTS: Bill Nervig, 15314 Jones Circle, CFO for Cutch, Inc.

OPPONENTS:

FOR THE CITY:

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

Motion by Melton that **RESOLUTION # 1121** be approved

Seconded by Harding

ROLL CALL:

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

Nays: None

MOTION APPROVED 6-0

13. HHC TRS LC Portfolio, LLC, dba "Omaha Marriott Hotel", 10220 Regency Circle, requests permission to appoint Edwin L. Stevens manager of their present Class "C/K" Liquor License location – CCID 1122 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

President Gray called for the public hearing to begin. No one came forward, and the public hearing was closed.

CCID # 1122 - Motion by Melton that the request be approved

Seconded by Harding

ROLL CALL:

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

Nays: None

MOTION APPROVED 6-0

CONSENT AGENDA

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

Council President Gray announced that the public hearings on Agenda Items 14 through 18 were held on September 26, 2017. (Notice of public hearings was published in the Daily Record on September 22, 2017; Ordinances as approved will be published in the Daily Record on October 11, 2017.)

CONSENT AGENDA – ORDINANCES

Motion by Jerram that the CONSENT AGENDA – ORDINANCES be approved:

Item # 14 **ORDINANCE # 41262**;

Item # 15 **ORDINANCE # 41263**;

Item # 16 **ORDINANCE # 41264**;

Item # 17 **ORDINANCE # 41265**; and,

Item # 18 **ORDINANCE # 41266**;

Seconded by Gray

ROLL CALL:

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

Nays: None

MOTION APPROVED 6-0

14. ORD. 41262 – An ordinance approving an Agreement for the sale of City-owned real property; to provide that notwithstanding any provisions of the Omaha Municipal Code to the contrary, the City is authorized to enter into the attached Real Estate Purchase Agreement with Ora Prince, 3724 North 36th Street, Omaha, to convey the property located at 3728 North 36th Street in consideration of the sum of \$850.00; there are no expenses associated with the transfer of the property to Ora Prince; and, to provide the effective date hereof – (First Reading September 19, 2017; Second Reading and Public Hearing September 26, 2017; Third Reading October 3, 2017) – [see attached](#).
15. ORD. 41263 – An ordinance to establish, pursuant to Section 40-251 of the Omaha Municipal Code, a new Class “A” Flammable Liquids Storage District, to be known as District No. A-158 at 2550 East Locust Street, as requested by Daniel B. Owens of the Omaha Airport Authority; and, to provide the effective date hereof – (First Reading September 19, 2017; Second Reading and Public Hearing September 26, 2017; Third Reading October 3, 2017) – [see attached](#).
16. ORD. 41264 – An ordinance to approve an agreement between the City of Omaha and Van Dyke Consulting, Inc. in the amount of \$52,000.00; to authorize funding for such agreement in the amount of \$32,500.00 from the City of Omaha’s 2017-2018 Office of Violence Prevention (OVP) Grant, Award #17-VP-5006, awarded by the Nebraska Crime Commission; to authorize funding for such agreement in the amount of \$19,500.00 by the Omaha Police Department from Fund 11111, Organization 114274, Account 42239; to provide funding for the development of a new web-based gang database for the Omaha Police Department Gang Unit; involving appropriations of more than one year in conformity with Section 5.17 of the Home Rule Charter; and, providing for the effective date hereof – (First Reading September 19, 2017; Second Reading and Public Hearing September 26, 2017; Third Reading October 3, 2017) – [see attached](#).

- 17. ORD. 41265 – An ordinance to approve the acceptance of and authorize disbursement over more than one fiscal year from the FY 2016 Assistance to Firefighters Grant (AFG) Program – Operations and Safety, Award #EMW-2016-FO-06996, in the amount of \$437,501.00, with a match of \$43,750.00 provided by the Omaha Fire Department from Fund 12168, Organization 114516, for a total program budget in the amount of \$481,251.00, during the project period of June 12, 2017 to June 11, 2018; to provide funding for thermal imaging and fitness equipment as detailed in the attached grant application; to authorize payment from such grant funding and involving appropriations of more than one fiscal year in conformity with Section 5.17 of the Home Rule Charter; and, providing for the effective date thereof – (First Reading September 19, 2017; Second Reading and Public Hearing September 26, 2017; Third Reading October 3, 2017) – [see attached](#).

- 18. ORD. 41266 - An ordinance to approve the acceptance of and authorize disbursement over more than one fiscal year from the FY 2016 Staffing for Adequate Fire and Emergency Response (SAFER) Grant, Award #EMW-2016-FH-00666, in the amount of \$1,016,192.00, with a match of \$631,690.00 provided by the Omaha Fire Department from Fund 12168, Organization 130622, for a total program budget in the amount of \$1,647,882.00, during the project period of January 24, 2018 to January 23, 2021; to provide funding for six (6) full-time firefighter positions with the Omaha Fire Department over a three-year period as detailed in the attached grant application; to authorize payment from such grant funding and involving appropriations of more than one fiscal year in conformity with Section 5.17 of the Home Rule Charter; and, providing for the effective date thereof – (First Reading September 19, 2017; Second Reading and Public Hearing September 26, 2017; Third Reading October 3, 2017) – [see attached](#).

* * * * *

Council President Gray announced that the public hearings on Agenda Items 19 through 45 are today. He asked that anyone wishing to address the City Council regarding these items to please come to the microphone, indicate the Agenda Item Number being addressed, and to state your name, address, who you are representing, and if you are speaking as a proponent or opponent.

CONSENT AGENDA – RESOLUTIONS

President Gray called for the public hearing to begin. No one came forward, and the public hearing was closed.

Motion by Melton that the CONSENT AGENDA – RESOLUTIONS be approved:

- | | |
|-------------------------------------|-------------------------------------|
| Item # 19 RESOLUTION # 1124; | Item # 20 RESOLUTION # 1125; |
| Item # 21 RESOLUTION # 1126; | Item # 22 RESOLUTION # 1127; |
| Item # 23 RESOLUTION # 1128; | Item # 24 RESOLUTION # 1129; |
| Item # 25 RESOLUTION # 1130; | Item # 26 RESOLUTION # 1131; |
| Item # 27 RESOLUTION # 1132; | Item # 28 RESOLUTION # 1142; |
| Item # 29 RESOLUTION # 1133; | Item # 30 RESOLUTION # 1134; |
| Item # 31 RESOLUTION # 1136; | Item # 32 RESOLUTION # 1139; |
| Item # 33 RESOLUTION # 1140; | Item # 34 RESOLUTION # 1141; |
| Item # 35 RESOLUTION # 1143; | Item # 36 RESOLUTION # 1144; |
| Item # 37 RESOLUTION # 1146; | Item # 38 RESOLUTION # 1147; |
| Item # 39 RESOLUTION # 1148; | Item # 40 RESOLUTION # 1149; |

Item # 41 **RESOLUTION # 1150**;
Item # 43 **RESOLUTION # 1152**;
Item # 45 **RESOLUTION # 1154**;

Item # 42 **RESOLUTION # 1151**;
Item # 44 **RESOLUTION # 1153**; and,

Seconded by Harding

ROLL CALL:

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

Nays: None

MOTION APPROVED 6-0

19. Res. that, as recommended by the Mayor, a Purchase Order to the United States Postal Service for the October 2017 mailing of 136,892 Wasteline newsletters, 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; and that, the Finance Department is authorized to pay the total cost for postage in the amount of \$24,983.72 from the General Fund 11111, Solid Waste Collection and Disposal Organization 116321, year 2017 expenditures – CCID 1124 – [see attached](#).
20. Res. that, as recommended by the Mayor, the Professional Services Agreement with Alfred Benesch & Company to provide residential contractor snow inspection services for the 2017-2018 winter season, is hereby approved; and that, the Finance Department is authorized to pay a fee not to exceed \$50,000.00 to be paid from the Street and Highway Allocation Fund 12131, Snow and Ice Control Organization 116154, year 2017 expenditures – CCID 1125 – [see attached](#).
21. Res. that, as recommended by the Mayor, the Professional Services Agreement with Ehrhart Griffin & Associates to provide residential contractor snow inspection services for the 2017-2018 winter season, is hereby approved; and that, the Finance Department is authorized to pay a fee not to exceed \$50,000.00 to be paid from the Street and Highway Allocation Fund 12131, Snow and Ice Control Organization 116154, year 2017 expenditures – CCID 1126 – [see attached](#).
22. Res. that, as recommended by the Mayor, the Professional Services Agreement with The Schemmer Associates, Inc. to provide residential contractor snow inspection services for the 2017-2018 winter season, is hereby approved; and that, the Finance Department is authorized to pay a fee not to exceed \$50,000.00 to be paid from the Street and Highway Allocation Fund 12131, Snow and Ice Control Organization 116154, year 2017 expenditures – CCID 1127 – [see attached](#).
23. Res. that, as recommended by the Mayor, the Professional Services Agreement with Olsson Associates to provide residential contractor snow inspection services for the 2017-2018 winter season, is hereby approved; and that, the Finance Department is authorized to pay a fee not to exceed \$50,000.00 to be paid from the Street and Highway Allocation Fund 12131, Snow and Ice Control Organization 116154, year 2017 expenditures – CCID 1128 – [see attached](#).

24. Res. that, the attached Declaration of Use, formally dedicating portions of City owned property known as Bluestem Prairie Reserve and located in the Northwest Quarter of the Northwest Quarter (NW 1/4, NW 1/4) and the Northeast Quarter of the Northwest Quarter (NE 1/4, NW 1/4) of Section 15, Township 15 North, Range 11, East of the 6th P.M. (near 168th and Blondo Streets), for use as public right-of-way for the purposes of a street, highway, boulevard, sidewalks, sewers, drainage facilities, and appurtenances thereto, be and hereby is approved, and the Mayor is authorized to execute the said document – CCID 1129 – [see attached](#).
25. Res. that, as recommended by the Mayor, the bid of Jones Automotive, Inc. in the amount of \$32,884.65, which represents the cost for equipment and installation for one 2017 Ford Police Utility Vehicle for the Omaha Police Department Canine Unit, being the only bid received, is hereby accepted and the same hereby approved; and that, the Finance Department of the City of Omaha is authorized to pay the cost of the equipment and installation for one 2017 Ford Police Utility Vehicle for the Omaha Police Department Canine Unit in the amount of \$32,884.65 from Year 2017, Fund 12163, Organization 123803 Police Grants, Account 44234 Cars/Small Trucks/Vans. This line item will be reimbursed for this purchase by a donation from the Omaha Police Foundation – CCID 1130 – [see attached](#).
26. Res. that, as recommended by the Mayor, Amendment No. 1 to the Agreement with Alfred Benesch & Company to provide additional professional services for various street resurfacing and improvement projects within the City, is hereby approved; and that, the Finance Department is authorized to pay an additional \$575,170.00 for these services, to be paid from the 2014 Transportation Bond Fund 13184, Transportation Bonds Organization 117117, 2017 expenditures – CCID 1131 – [see attached](#).
27. Res. that, as recommended by the Mayor, Amendment No. 5 to the Professional Services Agreement with George Butler Associates, Inc. for professional design engineering services on OPW 53206 (CSO), being the Cole Creek CSO 204 Area – Phase 3 Combined Sewer Separation Project, is hereby approved; and that, the Finance Department is authorized to pay the additional fee not to exceed \$820,366.00, which is to be paid from the Sewer Revenue Improvement Fund 21124, CSO Implementation Organization 116918; Sewer Revenue Bonds will be issued to finance this project – CCID 1132 – [see attached](#).
28. Res. that, as recommended by the Mayor, the contract with Spencer Management for OPW 53123, being the 94th and Leavenworth Street Improvements, is hereby approved; and that, the Finance Department is authorized to pay the cost of \$119,646.75, 50% of which will come from the Capital Special Assessment Fund 13573, Special Assessments Organization 116168, 2017 expenditures; and 50% from the 2014 Transportation Bond Fund 13184, Transportation Bonds Organization 117117, 2017 expenditures – CCID 1142 – [see attached](#).
29. Res. that, the attached Grant Agreement, as recommended by the Mayor, to provide funding in the amount of \$23,975.00 for the rehabilitation and lead reduction work, when applicable, to the property owned by Elizabeth Luick and Elizabeth Luick, Attorney In Fact for Cindy Renee Luick, located at 2425 South 21st Street, Omaha, is hereby approved. The contract is to be awarded to Rife Construction, Inc. Funds shall be paid as follows: \$23,975.00 from CDBG Exterior Rehab 2016 SF Housing Rehabilitation Program, Fund No. 12186, Org. No. 128072 – CCID 1133 – [see attached](#).

30. Res. that, the attached Grant Agreement, as recommended by the Mayor, to provide funding in the amount of \$34,720.00 for the rehabilitation and lead reduction work, when applicable, to the property owned by Bonnie L. Williams, located at 1507 Spring Street, Omaha, is hereby approved. The contract is to be awarded to Lamb's Remodeling. Funds shall be paid as follows: \$9,720.00 from CDBG Full Rehab 2016 SF Housing Rehabilitation Program, Fund No. 12186, Org. No. 128072; and, \$25,000.00 from NAHTF 15-TFHO-27047 Deer Park Owner Occupied Rehabilitation, Fund No. 12141, Org. No. 128101 – CCID 1134 – [see attached](#).
31. Res. that, the Subdivision Agreement between the City of Omaha and Pacific 192, LLC, a Nebraska corporation, as recommended by the Mayor, providing for the Watershed Management fees, Interceptor Sewer fees, Parks fees, and sewer connection to the Omaha Sanitary Sewer System, is hereby approved. The Subdivision is to be known as Pacific Renaissance (Lot 1 and Outlot A) and is located northwest of 192nd and Pacific Streets. The Council's previous approval of the subdivision agreement for Pacific Renaissance (Lot 1 and Outlot A) on March 31, 2015 by Resolution No. 307, is hereby vacated and rescinded – CCID 1136 – [see attached](#).
32. Res. that, the appointment by Mayor Jean Stothert of Joseph W. Pittack, President of Ted & Wally's, Inc. at 6023 Maple Street to be a member of the Benson Business Improvement Area Board, to serve a term running from October 6, 2017 to October 5, 2022, is hereby confirmed by the City Council – CCID 1139 – [see attached](#).
33. Res. that, the appointment by Mayor Jean Stothert of Brian J. Spencer, Manager of Planning for the University of Nebraska Medical Center, which is the owner of space in the District, to be a member of the Blackstone Business Improvement Board, commencing upon October 6, 2017 and expiring on October 5, 2022, is hereby confirmed – CCID 1140 – [see attached](#).
34. Res. that, the appointment by Mayor Jean Stothert of Philip Schaffart, owner of several businesses including the Blackstone Meatball, Ground Floor Guitar, and Pageturners Lounge located at 3910 Harney Street, to be a member of the Blackstone Business Improvement Board, to serve a five-year term commencing upon October 6, 2017 and expiring on October 5, 2022, is hereby confirmed and approved – CCID 1141 – [see attached](#).
35. Res. that, the appointment by the City Council Law Committee of Buster Brown to serve on the City of Omaha Cable Television Access Corporation's Board of Directors, for the remainder of Charles Cogar's three-year term, commencing upon confirmation by the City Council and expiring October 2, 2018, be and hereby is confirmed and approved – CCID 1143 – [see attached](#).
36. Res. that, the reappointment by the City Council Law Committee of Mary Williams to serve on the City of Omaha Board of Directors of the City of Omaha Cable Television Access Corporation for a three-year term, commencing October 3, 2017 and expiring October 2, 2020 – CCID 1144 – [see attached](#).

37. Res. that, the appointment by Mayor Jean Stothert of Michael L. Riedmann as a real estate industry representative member of the Urban Design Review Board, to serve the remainder of a three-year term commencing upon confirmation by the City Council and expiring October 5, 2020, be and hereby is confirmed and approved – CCID 1146 – [see attached](#).
38. Res. that, the appointment by Mayor Jean Stothert of Scott T. Dobbe as a layperson member of the Landmarks Heritage Preservation Commission, to serve a three-year term commencing on October 6, 2017 and expiring on October 5, 2020, be and hereby is confirmed and approved – CCID 1147 – [see attached](#).
39. Res. that, the reappointment by Mayor Jean Stothert of Ronald S. Feuerbach as an engineer member of the Board of Steamfitter and Pipefitter Examiners, to serve a term commencing upon confirmation by the City Council and expiring on October 5, 2021, be and hereby is confirmed and approved – CCID 1148 – [see attached](#).
40. Res. that, the reappointment by Mayor Jean Stothert of Kenneth R. Stewart as a master steamfitter member of the Board of Steamfitter and Pipefitter Examiners, to serve a term commencing upon confirmation by the City Council and expiring on October 5, 2021, be and hereby is confirmed and approved – CCID 1149 – [see attached](#).
41. Res. that, the reappointment by Mayor Jean Stothert of Gerald S. Reimer as the residential landlord representative member of the Property Maintenance Appeals Board, commencing upon confirmation by the City Council and expiring on October 5, 2020, is hereby confirmed and approved – CCID 1150 – [see attached](#).
42. Res. that, the reappointment by Mayor Jean Stothert of Steven D. Andersen as the master electrician member of the Property Maintenance Appeals Board, commencing upon confirmation by the City Council and expiring on October 5, 2020, is hereby confirmed and approved – CCID 1151 – [see attached](#).
43. Res. that, the reappointment by Mayor Jean Stothert of Jeffrey L. Hayden as the licensed master sign erector member of the Sign Examining Board, to serve a four-year term commencing on October 6, 2017 and expiring October 5, 2021, be and hereby is confirmed and approved – CCID 1152 – [see attached](#).
44. Res. that, the appointment by Mayor Jean Stothert of Kristine K. Moore as an alternate representative member of the Zoning Board of Appeals to serve the remainder of a five-year term commencing October 6, 2017 and expiring on May 5, 2021, be and hereby is confirmed and approved – CCID 1153 – [see attached](#).
45. Res. that, the reappointment by Mayor Jean Stothert of Michael G. McEvoy as a Journeyman member of the Board of Steamfitter and Pipefitter Examiners, commencing upon confirmation by the City Council and expiring on October 5, 2021, is hereby confirmed and approved – CCID 1154 – [see attached](#).

* * * * *

RESOLUTION

46. Res. that, the attached the Blackstone Corner Apartments and Shops Tax Increment Financing (TIF) Redevelopment Project Plan, for a redevelopment site located at the northwest corner of 36th and Farnam Street, which proposes to convert the entire site into a six story, 136,000 square foot mixed-use structure consisting of 112 market-rate apartment units and approximately 12,000 square feet of commercial space with 50 stalls of subgrade parking and up to 13 stalls of on-street parking, recommending the City's participation through the allocation of TIF in an amount up to \$2,800,000.00 to offset TIF eligible expenses for acquisition, demolition, site work, geopiers, architectural and engineering fees, erosion control, surveying and public improvements as required, with the developers volunteering \$25,000 of the TIF proceeds toward any additional public improvements and enhancements that may be necessary along the Farnam Street corridor in the Blackstone Business District - the funds would be deposited into the Midtown Public Improvement Fund, containing a provision for the division of ad valorem taxes under Section 18-2147 through 18-2150, Revised Statutes of Nebraska, as recommended by the City Planning Department, be and hereby is approved – held over from the September 12, 2017 City Council Meeting for publications and notifications – CCID 1073 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

PUBLIC HEARING – The following persons appeared and spoke:

PROponents: Mike Peter, 3328 Hickory Street, with Clarity Development

OPponents:

FOR THE CITY:

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

Motion by Jerram that **RESOLUTION # 1073** be approved

Seconded by Harding

ROLL CALL:

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

Nays: None

MOTION APPROVED 6-0

ORDINANCES ON SECOND READING

47. ORD. 41269 – An ordinance to amend Section 23 – 177 of the Omaha Municipal Code concerning employment classifications by adding the employment classification entitled Evidence Technician with a hourly pay range of \$19.07 to \$23.33; to repeal Section 23 – 177 as heretofore existing; and, to provide the effective date hereof – (First Reading September 26, 2017; Second Reading and Public Hearing October 3, 2017; **Third Reading October 17, 2017**) – [see attached](#). **(PUBLIC HEARING TODAY)**

President Gray called for the public hearing to begin. No one came forward, and the public hearing was closed.

48. ORD. 41270 – An ordinance to amend Section 23 – 177 of the Omaha Municipal Code concerning employment classification by adding the employment classification entitled Evidence Technical Supervisor with a salary range of 11.1 MC (\$47,903.96-\$58,123.00); to repeal Section 23 – 177 as heretofore existing; and, to provide the effective date hereof – (First Reading September 26, 2017; Second Reading and Public Hearing October 3, 2017; **Third Reading October 17, 2017**) – [see attached](#). **(PUBLIC HEARING TODAY)**

President Gray called for the public hearing to begin. No one came forward, and the public hearing was closed.

49. ORD. 41271 – An ordinance approving an Agreement for the sale of City-owned real property; to provide that notwithstanding any provisions of the Omaha Municipal Code to the contrary, the City is authorized to enter into the attached Real Estate Purchase Agreement with Mensah Investments, LLC, 4201 North 21st Street, Omaha, NE 68110, to convey the property located at 2825 North 28th Avenue, in consideration of the sum of \$700.00; there are no expenses associated with the transfer of the property to Mensah Investments, LLC; and, to provide the effective date hereof – (First Reading September 26, 2017; Second Reading and Public Hearing October 3, 2017; **Third Reading October 17, 2017**) – [see attached](#). **(PUBLIC HEARING TODAY)**

President Gray called for the public hearing to begin. No one came forward, and the public hearing was closed.

50. ORD. 41276 – An ordinance approving an Agreement for fire protection and emergency medical services with the Elkhorn Suburban Fire Protection District No. 2; providing that the Agreement will remain in effect for a period of ten (10) years commencing on January 1, 2018 in accordance with Section 5.17 of the Home Rule Charter of the City of Omaha, 1956, as amended; and, providing the effective date hereof – (First Reading September 26, 2017; Second Reading and Public Hearing October 3, 2017; **Third Reading October 17, 2017**) – [see attached](#). **(PUBLIC HEARING TODAY)**

PUBLIC HEARING – The following persons appeared and spoke:

PROPOSERS: Jim Lang, 13304 California Street, Attorney for the Elkhorn Suburban Fire Protection District No. 2

OPPOSERS:

FOR THE CITY: Chief Dan Olson, Omaha Fire Department

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

* * * * *

NON-ACTION ITEMS

(Items 51 through 72 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 OCTOBER 10, 2017 DUE TO THE COLUMBUS DAY HOLIDAY)

Anchor Pointe Villas

51. ORD. 41274 – An ordinance to rezone property located southwest of 173rd and Potter Streets from AG-Agricultural District to R4-Single-Family Residential District (High Density). The applicant is Boyer Young Development Co. – (First Reading September 26, 2017; Second Reading October 3, 2017; **Third Reading, Public Hearing and Vote October 17, 2017**) – [see attached](#).

52. ORD. 41275 – An ordinance to rezone property located southwest of 173rd and Potter Streets from AG-Agricultural District to DR-Development Reserve District. The applicant is Boyer Young Development Co. – (First Reading September 26, 2017; Second Reading October 3, 2017; **Third Reading, Public Hearing and Vote October 17, 2017**) – [see attached](#).
 - A. Planning Board and Planning Department recommend approval – [see attached](#).

53. Res. that, the revised Preliminary Plat entitled Anchor Pointe Villas, located southwest of 173rd and Potter Streets, along with the attached conditions, is hereby accepted; and, the preparation of the Final Plat of this subdivision is hereby authorized. The applicant is Boyer Young Development Co. – Outside City Limits – CCID 1113 – [see attached](#). **(LAID OVER FROM SEPTEMBER 26, 2017 TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS, PUBLIC HEARING AND VOTE WILL OCCUR OCTOBER 17, 2017)**
 - A. Planning Board and Planning Department recommend approval – [see attached](#).

54. Res. that, the Final Plat entitled Anchor Pointe Villas, located southwest of 173rd and Potter Streets, is hereby approved and accepted. The applicant is Boyer Young Development Co. – Outside City Limits - CCID 1114 – [see attached](#). **(LAID OVER TO OCTOBER 17, 2017 TO COINCIDE WITH ITEM 53)**
 - A. Planning Board and Planning Department recommend approval – [see attached](#).

55. Res. that, the Subdivision Agreement among the City of Omaha, Boyer Young Development Company, a Nebraska corporation, The Anchor Pointe Home Owners Association, and Sanitary and Improvement District (S.&I.D.) 567 of Douglas County, Nebraska, as recommended by the Mayor, providing for the public improvements, 1% administrative fee, Interceptor Sewer Fee, Watershed Management Fee, Parks fees, and sewer connection to the Omaha Sanitary Sewer System, is hereby approved. The Subdivision is to be known as Anchor Pointe Villas (Lots 1-40 and Outlots A-D) and is located southwest of 173rd and Potter Streets – CCID 1106 – [see attached](#). **(LAID OVER TO OCTOBER 17, 2017 TO COINCIDE WITH ITEM 53)**

Northern Hills Estates Two Replat 2

56. Res. that, the Special Use Permit application submitted by Keith Edquist for a Major Amendment to the existing Special Use Permit to allow development in the North Hills Environmental Overlay District, located at 12323 North 69th Street, Omaha, is hereby approved and the Permits and Inspection Division is directed to issue the necessary permit therefore, provided the conditions set out in Exhibit "A" of the above referenced application and all applicable local or state statutes, ordinances or regulations are complied with. That the proposed Major Amendment to the existing 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 – CCID 1110 – [see attached](#). **(LAID OVER FROM SEPTEMBER 26, 2017 TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS, PUBLIC HEARING AND VOTE WILL OCCUR OCTOBER 17, 2017)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
57. Res. that, the Final Plat transmitted herewith entitled Northern Hills Estates Two Replat 2, located at 12323 North 69th Street, is hereby approved, and concurrently a portion of the existing plat entitled Northern Hills Estates Two Replat 1, and described on said replat, is hereby vacated. The applicant is Keith Edquist – Outside City Limits - CCID 1111 – [see attached](#). **(LAID OVER TO OCTOBER 17, 2017 TO COINCIDE WITH ITEM 56)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
58. Res. that, the Amendment to the Subdivision Agreement among the City of Omaha, Keith B. Edquist, and the Northern Hills Estates Homeowners Association, as recommended by the Mayor, providing for changes to the original tree mitigation plan, is hereby approved. The Subdivision is to be known as Northern Hills Estates Two Replat 2 (Lots 1-2) and is located at 12323 North 69th Street – CCID 1109 – [see attached](#). **(LAID OVER TO OCTOBER 17, 2017 TO COINCIDE WITH ITEM 56)**

Eckerman Place

59. ORD. 41272 – An ordinance to rezone property located at 5051 Center Street from GC-General Commercial District to CC-Community Commercial District. The applicant is Olsson Associates – (First Reading September 26, 2017, Second Reading October 3, 2017; **Third Reading and Public Hearing will be held on October 17, 2017**) – [see attached](#).
60. ORD. 41273 – An ordinance to amend the boundaries of the MCC-Major Commercial Corridor Overlay District, to incorporate into that district the property located at 5051 Center Street; and, to provide for an effective date. The applicant is Olsson Associates – (First Reading September 26, 2017, Second Reading October 3, 2017; **Third Reading and Public Hearing will be held on October 17, 2017**) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).

SPECIAL USE PERMIT – MAJOR AMENDMENT

Broadcast Tower

61. Res. that, the Special Use Permit application submitted by T-Mobile Central, LLC for a Major Amendment to a Special Use Permit to allow a Broadcast tower in a LC-Limited Commercial District, with a waiver of Section 55-348 Height to allow a 112 foot tall tower, located at 15220 Military Road, Omaha, 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 above referenced application, conditions set out in Exhibit "B", and all applicable local or state statutes, ordinances or regulations are complied with. That the proposed Special Use Permit has been reviewed and evaluated pursuant to, and meets each of, the criteria set forth in Section 55-885 of the Omaha Municipal Code – CCID 1119 – [see attached](#). **(LAID OVER TWO WEEKS TO OCTOBER 17, 2017 TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**

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

RESOLUTIONS

62. Res. that, the attached the Bijoux Residences Tax Increment Financing (TIF) Redevelopment Project Plan, for a redevelopment site located at 563 South 18th Street, which proposes a complete rehabilitation of the 3-story mixed-use structure, recommending the City's participation through the allocation of TIF in an amount up to \$250,000.00 to offset TIF eligible expenses for acquisition, rehabilitation costs, architectural and engineering fees, surveying and environmental work and public improvements as required, containing a provision for the division of ad valorem taxes under Section 18-2147 through 18-2150, Revised Statutes of Nebraska, as recommended by the City Planning Department, be and hereby is approved – CCID 1123 – [see attached](#). **(LAID OVER THREE WEEKS TO OCTOBER 24, 2017 TO ADVERTISE FOR PUBLIC HEARING)**

63. Res. that, the attached The Center Aloft and Baxter Arena Redevelopment Project Plan, for redevelopment sites located at 6201 and 6221 Center Street, and 2425 South 67th Street, are comprised of two separate projects: project one is the issuance of redevelopment bonds to pay the City's obligation for public infrastructure improvements installed when the Baxter Arena was constructed; and project two is a Tax Increment Financing (TIF) Redevelopment Project, which proposes to redevelop the sites located at 6201 and 6221 Center Street into a five-story Aloft Hotel consisting of 110 rooms, conference and meeting spaces and 120 parking spaces, recommending the City's participation in the redevelopment of the Aloft Hotel project site through the allocation of TIF in an amount up to \$2,125,000.00 to offset TIF eligible expenses for acquisition, demolition, architectural and engineering fees, environmental, geotech and public improvements as required, containing a provision for the division of ad valorem taxes under Section 18-2147 through 18-2150, Revised Statutes of Nebraska, as recommended by the City Planning Department, be and hereby is approved – CCID 1135 – [see attached](#). **(LAID OVER THREE WEEKS TO OCTOBER 24, 2017 TO ADVERTISE FOR PUBLIC HEARING)**

ORDINANCES ON FIRST READING

64. ORD. 41284 – An ordinance supplemental to Ordinance No. 35840, as supplemented by Ordinance No. 38029 and as supplemented by Ordinance 39227, authorizing and providing for an issue of special obligation refunding bonds in the aggregate principal amount of not to exceed Five Million Five Hundred Thousand Dollars (\$5,500,000) to be termed for identification purposes “Special Obligation Refunding Bonds (Riverfront Redevelopment Project), Series 2017D” of the City of Omaha, Nebraska (the “City”) for the purpose of paying all or part of the cost of refunding certain bonded indebtedness of the City; prescribing the form and detail of said refunding bonds; ratifying and confirming the creation of a community development agency; providing for the annual certification of the amount of City funds encumbered for use in the same calendar year in connection with a sewer separation project; pledging certain cigarette tax revenues, tax allocation revenues, sewer revenues, land revenues and sales tax revenues to the payment of the principal of, premium, if any, and interest on said refunding bonds as the same fall due and to carry out all other covenants of this Supplemental Ordinance; limiting the obligation to pay said refunding bonds solely to said pledged revenues; authorizing the sale of said refunding bonds by negotiation; designating for defeasance and redemption certain bonded indebtedness of the City; directing the preparation of a transcript of proceedings authorizing the issuance, sale and delivery of said refunding bonds; appointing an Escrow Agent and a Paying Agent and Registrar; approving the selection of an underwriter and an escrow verification agent; directing that said refunding bonds shall initially be issued and registered in book-entry form; providing for continuing disclosure; delegating authority to the Finance Director to determine the final prices, interest rates, principal amounts and redemption provisions for said refunding bonds; and, providing for the effective date thereof – (First Reading October 3, 2017; **Second Reading and Public Hearing October 17, 2017**; Third Reading October 24, 2017) – [see attached](#).

65. ORD. 41285 – An ordinance authorizing and providing for an issue of special tax revenue redevelopment refunding bonds, an issue of special tax revenue redevelopment crossover refunding bonds, and an issue of taxable special tax revenue redevelopment bonds in the aggregate principal amount of not to exceed Fourteen Million Dollars (\$14,000,000) to be termed for identification purposes “Special Tax Revenue Redevelopment Refunding Bonds, Series 2017A,” “Special Tax Revenue Redevelopment Crossover Refunding Bonds, Series 2017B” and “Special Tax Revenue Redevelopment Bonds, Taxable Series 2017C,” respectively; prescribing the form and detail of said bonds; ratifying and confirming the creation of a community development agency; providing for the annual certification of the amount of community redevelopment tax to be levied for each succeeding fiscal year; pledging the special tax revenues to the payment of the principal of and interest on said bonds as the same fall due and to carry out all other covenants of this Ordinance; limiting the payment of said bonds solely to said special tax revenues; authorizing the sale of said bonds by negotiation; designating for defeasance and redemption certain bonded indebtedness of the City of Omaha; directing the preparation of a transcript of proceedings authorizing the issuance, sale and delivery of said bonds; appointing an Escrow Agent, a Paying Agent and Registrar; approving the selection of an underwriter and an escrow verification agent; directing that said bonds shall initially be issued and registered in book-entry form; providing for continuing disclosure; delegating authority to the Finance Director to determine the final prices, interest rates, principal amounts and redemption provisions for said bonds; and, providing for the effective date thereof – (First Reading October 3, 2017; **Second Reading and Public Hearing October 17, 2017**; Third Reading October 24, 2017) – [see attached](#).
66. ORD. 41277 – An ordinance to approve an agreement between the City of Omaha and Brenda L. Daley and Associates in the amount of \$36,504.00; to authorize funding for such agreement from the City of Omaha’s FY 2016 Violent Gang and Gun Crime Reduction Program (Project Safe Neighborhoods): Category 3, Grant Award #2016-GP-BX-0008, awarded by the U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), Bureau of Justice Assistance (BJA); to provide funding for the position of the Project Safe Neighborhoods (PSN) Director of Operations; involving appropriations of more than one (1) year in conformity with Section 5.17 of the Home Rule Charter; providing for payment from a specific account; and, providing for the effective date hereof – (First Reading October 3, 2017; **Second Reading and Public Hearing October 17, 2017**; Third Reading October 24, 2017) – [see attached](#).
67. ORD. 41278 – An ordinance to approve the acceptance of the City of Omaha and Douglas County joint application to the U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), Bureau of Justice Assistance (BJA), FY 2017 Edward Byrne Memorial Justice Assistance Grant (JAG) Program, Application #2017-H2311-NE-DJ, in the amount of \$380,836.00 for law enforcement programs, prevention and education programs, prosecution and court programs, mental health programs, and planning, evaluation and technology improvement programs during the period of October 1, 2016 to September 30, 2020; to provide the Council an opportunity for review and public comment for such application; upon award of such grant, 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; and, to provide for the effective date hereof – (First Reading October 3, 2017; **Second Reading and Public Hearing October 17, 2017**; Third Reading October 24, 2017) – [see attached](#).

68. ORD. 41279 – An ordinance to accept the bid from LE Upfitter to enter into a two-year price agreement for ballistic vest systems with the option for two one-year extensions at the sole discretion of the City of Omaha, involving the payment of money from appropriations of more than one year in accordance with Section 5.17 of the Home Rule Charter of the City of Omaha, 1956, as amended; to provide firm price commitments on ballistic vests for the first two years, which are to be provided to the Omaha Police Department on an as needed basis, with unit prices specifically determined by the bid, but the exact costs are indeterminate depending on the number of purchases made, and anticipated to be approximately \$497,745.00 for 900 vests over the four-year period; and, to provide for the effective date hereof – (First Reading October 3, 2017; **Second Reading and Public Hearing October 17, 2017**; Third Reading October 24, 2017) – [see attached](#).
69. ORD. 41280 – An ordinance approving an Agreement between the City of Omaha and Brian Sparks 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 Brian Sparks 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, 2017 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; and, to provide an effective date hereof – (First Reading October 3, 2017; **Second Reading and Public Hearing October 17, 2017**; Third Reading October 24, 2017) – [see attached](#).
70. ORD. 41281 – An ordinance, approving an Agreement between the City of Omaha, Nebraska and Douglas K. Nielsen, 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 Douglas K. Nielsen 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, 2017 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; and to provide an effective date hereof – (First Reading October 3, 2017; **Second Reading and Public Hearing October 17, 2017**; Third Reading October 24, 2017) – [see attached](#).
71. ORD. 41282 – An ordinance to amend certain portions of Special Ordinance No. 10217, levying assessments for the improvement of a local roadway, by removing the assessment on the property located at 2626 South 97th Avenue in the total amount of \$2,528.55 plus accrued interest; and, to provide the effective date – (First Reading October 3, 2017; **Second Reading and Public Hearing October 17, 2017**; Third Reading October 24, 2017) – [see attached](#).

72. ORD. 41283 – An ordinance to amend Omaha Municipal Code Chapter 36, Article III, Division 6, by creating a new section prohibiting pedestrian use of certain medians within the public right-of-way; to provide findings of legislative intent, definitions, enforcement procedures, and affirmative defenses; and, to provide an effective date hereof – (First Reading October 3, 2017; **Second Reading and Public Hearing October 17, 2017;** Third Reading October 24, 2017) – [see attached](#).

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

* * * * *

EXECUTIVE SESSION

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

ADJOURNMENT

Motion by Jerram that the meeting be adjourned

Seconded by Gray

ROLL CALL:

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

Nays: None

Motion Passed 6-0

MEETING ADJOURNED AT: 2:15 P.M.

I, KIMBERLY PULLIAM, DEPUTY 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 October 3, 2017.

WITNESS:

DEPUTY CITY CLERK:

s/Sherri Brown
Sherri Brown

s/Kimberly Pulliam
Kimberly Pulliam

THE PROCEEDINGS OF THIS MEETING WERE PRESENTED TO ACTING MAYOR BEN GRAY ON THE 5TH DAY OF OCTOBER, 2017.