



**CITY OF OMAHA
33RD REGULAR CITY COUNCIL MEETING
OCTOBER 31, 2017**

THE CITY COUNCIL met in Regular Session on Tuesday, October 31, 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 # 1213 - Present: Festersen, Harding, Jerram, Melton, Pahls, Palermo, Mr. President

2. Council President Ben Gray led those present in the Pledge of Allegiance
3. Councilmember Vinny Palermo of District No. 4 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 October 27, 2017, notice of the Pre-Council and Regular City Council Meetings, October 31, 2017 – **CCID # 1214**.

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

PLANNING ITEMS WITH PLANNING BOARD ATTACHMENTS

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

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

PUBLIC HEARING – The following person(s) appeared and spoke:

PROPOSERS: Mark LaPuzza, 10250 Regency Circle, Attorney for the applicant

OPPOSERS:

FOR THE CITY:

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

Arbor View

6. ORD. 41294 – An ordinance to rezone property located southwest of 208th Avenue and Fort Street from AG-Agricultural District to DR-Development Reserve District - (First Reading October 17, 2017; Second Reading October 24, 2017; Third Reading, Public Hearing and Vote October 31, 2017) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

Notice of the public hearing on October 31, 2017 was published in the Daily Record on October 17, 2017. Ordinance as approved on October 31, 2017 published in the Daily Record on November 8, 2017.

Motion by Melton that **ORDINANCE # 41294** be approved

Seconded by Jerram

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

7. ORD. 41295 – An ordinance to rezone property located southwest of 208th Avenue and Fort Street from AG-Agricultural District to R4-Single-Family Residential District (High Density) – (First Reading October 17, 2017; Second Reading October 24, 2017; Third Reading, Public Hearing and Vote October 31, 2017) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

Notice of the public hearing on October 31, 2017 was published in the Daily Record on October 17, 2017. Ordinance as approved on October 31, 2017 published in the Daily Record on November 8, 2017.

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

Motion by Melton that **ORDINANCE # 41295** be approved

Seconded by Jerram

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

8. Res. that, the Final Plat entitled Arbor View (Lots 236-381, Outlots E-H), located southwest of 208th Avenue and Fort Street, is hereby approved and accepted. The applicant is Charleston Homes, LLC – Outside City Limits – CCID 1172 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

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

Motion by Melton that **RESOLUTION # 1172** be approved

Seconded by Jerram

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

9. Res. that, the Subdivision Agreement among the City of Omaha, Charleston Homes, LLC, The Arbor View Homeowners Association, and Sanitary and Improvement District (S.&I.D.) 561 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 Arbor View (Lots 236-381 and Outlots E-H) and is located southwest of 208th Avenue and Fort Street – CCID 1179 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

Motion by Melton that **RESOLUTION # 1179** be approved

Seconded by Jerram

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

City Clerk Elizabeth Butler stated that Items 10 through 12 relate to the same project and would be considered together.

Council President Ben Gray opened the Public Hearing on Items 10 through 12.

PUBLIC HEARING – The following person(s) appeared and spoke:

PROPOSERS: Jeff Elliott, 17007 Marcy Street, for Spruce 180, LLC

OPPOSERS:

FOR THE CITY:

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

Spruce 180

10. ORD. 41301 – An ordinance to rezone property located west of 180th Street and north of Corby Street from AG-Agricultural District to R4-Single Family Residential District (High Density) – (First Reading October 17, 2017; Second Reading October 24, 2017; Third Reading, Public Hearing and Vote October 31, 2017) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

Notice of the public hearing on October 31, 2017 was published in the Daily Record on October 17, 2017. Ordinance as approved on October 31, 2017 published in the Daily Record on November 8, 2017.

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

Motion by Harding that **ORDINANCE # 41301** be approved

Seconded by Melton

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

11. Res. that, the Final Plat entitled Spruce 180 (Lots 1-148 and Outlots A-G), located west of 180th Street and north of Corby Street, is hereby approved and accepted. The applicant is Falcone Land Co. – Outside City Limits – CCID 1175 – [see attached](#).
(PUBLIC HEARING AND VOTE TODAY)

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

Motion by Harding that **RESOLUTION # 1175** be approved

Seconded by Melton

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

12. Res. that, the Subdivision Agreement among the City of Omaha, Spruce 180, LLC, a Nebraska corporation, The Spruce 180 Owners Association, and Sanitary and Improvement District (S.&I.D.) 579 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 Spruce 180 (Lots 1-148 and Outlots A-G) and is located west of 180th Street and north of Corby Street) – CCID 1180 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

Motion by Harding that **RESOLUTION # 1180** be approved

Seconded by Melton

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

City Clerk Elizabeth Butler stated that Items 13 through 19 relate to the same project and would be considered together.

Council President Ben Gray opened the Public Hearing on Items 13 through 19.

PUBLIC HEARING – The following person(s) appeared and spoke:

PROPOSERS: Jason Thiellen, E&A Consulting Group, 10909 Mill Valley Road,
Suite #100

OPPOSERS:

FOR THE CITY:

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

Kings "L" Street

13. ORD. 41298 – An ordinance to rezone property located south of 66th Circle and "L" Street from DR-Development Reserve District and GC-General Commercial District to DR-Development Reserve District – (First Reading October 17, 2017; Second Reading October 24, 2017; Third Reading, Public Hearing and Vote October 31, 2017) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
Notice of the public hearing on October 31, 2017 was published in the Daily Record on October 17, 2017. Ordinance as approved on October 31, 2017 published in the Daily Record on November 8, 2017.

Motion by Palermo that **ORDINANCE # 41298** be approved

Seconded by Gray

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

14. ORD. 41299 – An ordinance to rezone property located south of 66th Circle and "L" Street from DR-Development Reserve District and GC-General Commercial District to CC-Community Commercial District – (First Reading October 17, 2017; Second Reading October 24, 2017; Third Reading, Public Hearing and Vote October 31, 2017) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
Notice of the public hearing on October 31, 2017 was published in the Daily Record on October 17, 2017. Ordinance as approved on October 31, 2017 published in the Daily Record on November 8, 2017.

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

Motion by Palermo that **ORDINANCE # 41299** be approved

Seconded by Gray

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

15. ORD. 41300 – An ordinance to amend the boundaries of the MCC-Major Commercial Corridor Overlay District, to incorporate into that district the property located south of 66th Circle and "L" Street – (First Reading October 17, 2017; Second Reading October 24, 2017; Third Reading, Public Hearing and Vote October 31, 2017) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
Notice of the public hearing on October 31, 2017 was published in the Daily Record on October 17, 2017. Ordinance as approved on October 31, 2017 published in the Daily Record on November 8, 2017.

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

Motion by Palermo that **ORDINANCE # 41300** be approved

Seconded by Gray

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

16. Res. that, the Final Plat entitled Kings "L" Street Addition, located south of 66th Circle and "L" Street is hereby approved, and concurrently a portion of the existing plat entitled Kings "L" Street Addition, is hereby vacated. The applicant is Russ Larson – Inside City Limits – CCID 1174 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

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

Motion by Palermo that **RESOLUTION # 1174** be approved

Seconded by Gray

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

17. Res. that, the Subdivision Agreement between the City of Omaha and Russ Larsen, an individual, as recommended by the Mayor, providing for the public improvements, Watershed Management Fee, and sewer connection to the Omaha Sanitary Sewer System, is hereby approved. The subdivision is to be known as Kings "L" Street Addition Replat 1 (Lots 1-2 and Outlot A) and is located south of 66th Circle and "L" Street – CCID 1178 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

Motion by Palermo that **RESOLUTION # 1178** be approved

Seconded by Gray

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

18. Res. that, the Special Use Permit application submitted by Russ Larson to allow Convenience storage in a CC-Community Commercial District (property is also located within a FF-Flood Fringe Overlay District), located south of 66th Circle and "L" Street, Omaha, Nebraska, is hereby approved – CCID 1176 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

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

Motion by Palermo that **RESOLUTION # 1176** be approved

Seconded by Gray

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

19. Res. that, the Special Use Permit application submitted by Russ Larson, to allow Automotive sales in a CC-Community Commercial District (property is also located within a FF-Flood Fringe Overlay District), located south of 66th Circle and “L” Street, Omaha, Nebraska, is hereby approved – CCID 1177 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

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

Motion by Palermo that **RESOLUTION # 1177** be approved

Seconded by Gray

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

Highlands Ranch

20. Res. that, the Preliminary Plat entitled Highlands Ranch, located southwest of 222nd and F streets, with a request of waivers to Section 53-8(2)(b) Cul-de-sacs and cul-de-sac length, Section 53-8(2)(g) Street width, Section 53-8(3) Block length, Section 53-9(3) Curb and gutter and Section 53-9(9) Sidewalks, is hereby accepted – Outside City Limits – CCID 1223 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

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

B. Planning Board and Planning Department recommend denial of a waiver request of Section 53-9(10) regarding Street lights – [see attached](#).

PUBLIC HEARING – The following person(s) appeared and spoke:

PROPOSERS: Jim Buser, Pansing Hogan, 10250 Regency Circle, for the developer

OPPOSERS:

FOR THE CITY: Paul Kratz, City Attorney

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

Motion by Jerram that **RESOLUTION # 1223** be approved

Seconded by Melton

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

George Miller Parkway North

21. Res. that, the Preliminary Plat entitled George Miller Parkway North, located northwest of 177th Street and George Miller Parkway, is hereby accepted – Outside City Limits – CCID 1224 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

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

PUBLIC HEARING – The following person(s) appeared and spoke:
PROPOSERS: Lana Bayless, DLR Group, 6457 Frances Street, Suite 200
OPPOSERS:
FOR THE CITY:

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

Motion by Harding that **RESOLUTION # 1224** be approved
Seconded by Melton

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

PLANNING ORDINANCES ON FINAL READING WITH PLANNING BOARD ATTACHMENTS

22. ORD. 41297 – An ordinance to rezone the property located at 2545 Abbott Plaza from HI-Heavy Industrial District to CC-Community Commercial District (property is also located within an existing ACI-4(PL) Overlay District) – (First Reading October 17, 2017; Second Reading October 24, 2017; Third Reading, Public Hearing and Vote October 31, 2017) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
Notice of the public hearing on October 31, 2017 was published in the Daily Record on October 17, 2017. Ordinance as approved on October 31, 2017 published in the Daily Record on November 8, 2017.

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

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

Motion by Melton that **ORDINANCE # 41297** be approved

Seconded by Festersen

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

23. ORD. 41293 – An ordinance to rezone the properties located at 4114 Corby Street, 4304 Miami Street, 4306 Lake Street, 4219 Corby Street and 4013 Corby Street from R4(35)-Single-Family Residential District (High Density) to R4-Single-Family Residential District (High Density) – (First Reading October 17, 2017; Second Reading October 24, 2017; Third Reading, Public Hearing and Vote October 31, 2017) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
Notice of the public hearing on October 31, 2017 was published in the Daily Record on October 17, 2017. Ordinance as approved on October 31, 2017 published in the Daily Record on November 8, 2017.

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

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

Motion by Melton that **ORDINANCE # 41293** be approved

Seconded by Festersen

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

24. ORD. 41296 – An ordinance to amend the boundaries of the MCC-Major Commercial Corridor Overlay District, to incorporate into that district the property located at 12801 L Street – (First Reading October 17, 2017; Second Reading October 24, 2017; Third Reading, Public Hearing and Vote October 31, 2017) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

Notice of the public hearing on October 31, 2017 was published in the Daily Record on October 17, 2017. Ordinance as approved on October 31, 2017 published in the Daily Record on November 8, 2017.

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

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

Motion by Harding that **ORDINANCE # 41296** be approved

Seconded by Melton

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

SPECIAL USE PERMITS

Broadcast Tower

25. Res. that, the Special Use Permit application submitted by T-Mobile to allow a Broadcast Tower with a waiver of Section 55-146, Height (62 feet) in a R2 District (property is also located within a MCC Overlay District), located at 7400 Military Avenue, is hereby approved. That the proposed Special Use Permit has been reviewed and evaluated pursuant to, and meets each of, the criteria in Section 55-885 of the Omaha Municipal Code – CCID 1173 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

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

PUBLIC HEARING – The following person(s) appeared and spoke:

PROPOSERS: Darren Hunter, Centerline Solutions, 16035 Table Mountain Parkway, Golden, CO

OPPOSERS:

FOR THE CITY:

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

Motion by Festersen that **RESOLUTION # 1173** be approved
Seconded by Jerram
ROLL CALL:
Yeas: Festersen, Harding, Jerram, Melton, Pahls, Palermo, Mr. President
Nays: None
MOTION APPROVED 7-0

Custom Manufacturing

26. Res. that, the Special Use Permit application submitted by Prodenco to allow Custom manufacturing in a CC-Community Commercial District, located 1407 North 203rd Street, Omaha, Nebraska, is hereby approved. That the proposed Special Use Permit has been reviewed and evaluated pursuant to, and meets each of, the criteria in Section 55-885 of the Omaha Municipal Code – CCID 1195 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

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

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

Motion by Harding that **RESOLUTION # 1195** be approved
Seconded by Gray
ROLL CALL:
Yeas: Festersen, Harding, Jerram, Melton, Pahls, Palermo, Mr. President
Nays: None
MOTION APPROVED 7-0

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LIQUOR

27. Class “D” Liquor License Application – QuikTrip Corporation, dba “QuikTrip”, 3201 “L” Street. (This is a new application for a new location.) Notice was posted on the property on 10/17/17; Notification was sent to property owners within 500 feet on 10/19/17 – CCID 1215 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

PUBLIC HEARING – The following person(s) appeared and spoke:
PROPOSERS: Danielle Dring, Smith Slusky Law, 8712 West Dodge Road, Suite 400, Attorney for the applicant
OPPOSERS: Stanford Mommaerts-Brown, 1308 North 40th Street, #1
FOR THE CITY:

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

Motion by Palermo that **RESOLUTION # 1215** be approved
Seconded by Festersen
ROLL CALL:
Yeas: Festersen, Harding, Jerram, Melton, Pahls, Palermo, Mr. President
Nays: None
MOTION APPROVED 7-0

28. Class “D” Liquor License Application – RIFS, Inc., dba “Grover’s Quik & Friendly”, 5014 Grover Street. (This is a new application for a new location.) Notice was posted on the property on 10/17/17; Notification was sent to property owners within 500 feet on 10/19/17 – CCID 1216 - [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

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

PUBLIC HEARING – The following person(s) appeared and spoke:

PROPOSERS: Farrukh Rakhimov, Grover’s Quik & Friendly, 5014 Grover Street

OPPOSERS: Stanford Mommaerts-Brown, 1308 North 40th Street, #1

FOR THE CITY:

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

Motion by Jerram that **RESOLUTION # 1216** be approved

Seconded by Festersen

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

29. Aimbridge Concessions, Inc., dba “Element Omaha Midtown Crossing”, 3253 Dodge Street, requests permission to appoint Chris Pogorzelski manager of their present Class “CK” Liquor License location – CCID 1217 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

PUBLIC HEARING – The following person(s) appeared and spoke:

PROPOSERS: Chris Pogorzelski, 213 South 36th Avenue

OPPOSERS:

FOR THE CITY:

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

CCID # 1217 - Motion by Jerram that the request be approved

Seconded by Gray

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

30. Aparium Hotel Group, LLC, dba “Hotel Deco XV”, 1504 Harney Street, requests permission to appoint Janelle N. Shank manager of their present Class “C” Liquor License location – CCID 1218 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

PUBLIC HEARING – The following person(s) appeared and spoke:

PROPOSERS: Janelle N. Shank, F&B Manager, Hotel Deco XV, 1504 Harney Street

OPPOSERS:

FOR THE CITY:

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

CCID # 1218 - Motion by Jerram that the request be approved

Seconded by Festersen

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

- 31. Eagle Run West Golf Partnership, dba "Champions Run", 13800 Eagle Run Drive, and Midwest Golf Operations, dba "Eagle Run Golf Course", 3435 North 132nd Street, requests permission to appoint Julie A. Horgan manager of their present Class "C" Liquor License locations – CCID 1219 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

PUBLIC HEARING – The following person(s) appeared and spoke:

PROPOSERS: Julie A. Horgan, 13800 Eagle Run Drive, Champions Run

OPPOSERS:

FOR THE CITY:

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

CCID # 1219 - Motion by Melton that the request be approved

Seconded by Harding

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

- 32. Wal-Mart Stores, Inc., dba "Walmart #3172", 5051 "L" Street, requests permission to appoint Brian S. Farber manager of their present Class "CK" Liquor License location – CCID 1220 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

PUBLIC HEARING – The following person(s) appeared and spoke:

PROPOSERS: Brian S. Farber, Walmart #3172, 5051 L Street

OPPOSERS:

FOR THE CITY:

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

CCID # 1220 - Motion by Palermo that the request be approved

Seconded by Festersen

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

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CONSENT AGENDA

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

Council President Gray announced that the public hearings on Agenda Items 33 through 45 were held on October 24, 2017. (Notice of the public hearings was published in the Daily Record on October 20, 2017; Ordinances as approved will be published in the Daily Record on November 8, 2017.)

CONSENT AGENDA – ORDINANCES

COUNCIL PRESIDENT GRAY STATED THAT AGENDA ITEM 41 WAS REMOVED FROM THE CONSENT AGENDA.

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

Item # 33 ORDINANCE # 41302;	Item # 34 ORDINANCE # 41303;
Item # 35 ORDINANCE # 41310;	Item # 36 ORDINANCE # 41311;
Item # 37 ORDINANCE # 41304;	Item # 38 ORDINANCE # 41291;
Item # 39 ORDINANCE # 41292;	Item # 40 ORDINANCE # 41290;
Item # 42 ORDINANCE # 41286;	Item # 43 ORDINANCE # 41288;
Item # 44 ORDINANCE # 41287; and,	Item # 45 ORDINANCE # 41289;

Seconded by Festersen

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

33. ORD. 41302 - An ordinance to extend a contract by two years, to be effective from January 1, 2018 through December 31, 2019, with DPS Construction, LLC for the Transportation of Sludge Cake Project from the Missouri River and Papillion Creek Wastewater Treatment Plants in the amount of \$863,050.00; to provide for payments from appropriations of more than one year in accordance with Section 5.17 of the Home Rule Charter of 1956, as amended; and, to provide for payments from specific accounts - (First Reading October 17, 2017; Second Reading and Public Hearing October 24, 2017; Third Reading October 31, 2017) – [see attached](#).

34. ORD. 41303 - An ordinance authorizing the issuance of a purchase order to Interstate PowerSystems for a price agreement for predictive/preventative maintenance services and inspection, maintenance and repair of plant engines and related equipment at the Missouri River Wastewater Treatment Plant and Papillion Creek Wastewater Treatment Plant in the amount of \$538,900.00. The price agreement will be effective for an initial period of 12 months and renewable for four separate one year periods; to provide for payments from appropriations of more than one year in accordance with Section 5.17 of the Home Rule Charter of 1956, as amended; and, to provide for payments from a specific account – (First Reading October 17, 2017; Second Reading and Public Hearing October 24, 2017; Third Reading October 31, 2017) – [see attached](#).

35. ORD. 41310 – An ordinance to approve the execution of a Master Fiber IRU Conveyance and Conduit Sharing Agreement between the City of Omaha and ExteNet Systems Inc. ("ExteNet"), providing for ExteNet's usage of City right-of-way and conduit for optical fiber communication lines, and for the City's use of such communication lines – (First Reading October 17, 2017; Second Reading and Public Hearing October 24, 2017; Third Reading October 31, 2017) – [see attached](#).
36. ORD. 41311 – An ordinance to approve the execution of a Master Agreement for attachments in public right of way, between the City of Omaha and ExteNet Systems Inc. ("ExteNet"), providing for ExteNet's desire to construct, install, operate, modify, replace and maintain a Microcell network consisting of an attachment upon street light poles within certain public rights of way with the corporate boundaries of the City – (First Reading October 17, 2017; Second Reading and Public Hearing October 24, 2017; Third Reading October 31, 2017) – [see attached](#).
37. ORD. 41304 - An ordinance vacating a portion of the 132nd Street right-of-way abutting a parcel commonly known as 333 South 132nd Street, legally described as that part of the 132nd Street Right of Way in the SW 1/4 of the NW 1/4 of Section 19, T15N, R12E of the 6th PM – (First Reading October 17, 2017; Second Reading and Public Hearing October 24, 2017; Third Reading October 31, 2017) – [see attached](#).
 - A. Planning Board and Planning Department recommend approval – [see attached](#).
38. ORD. 41291 – An ordinance approving a redevelopment and tax increment financing loan agreement between the City of Omaha and Sorensen Heights, LLC, to implement the Sorensen Heights Senior Housing Tax Increment Financing (TIF) Redevelopment Project Plan for a project site located at 6657 North 56th Street, which proposes a multi-family senior housing development consisting of 75 two bedroom units, of which 67 will be for tenants at or below 60 percent AMI (Area Median Income) and 8 units will be market rate rentals; the agreement authorizes the use of up to \$500,000.00 in excess ad valorem taxes (TIF) – (First Reading October 17, 2017; Second Reading and Public Hearing October 24, 2017; Third Reading October 31, 2017) – [see attached](#).
39. ORD. 41292 – An ordinance approving a redevelopment and tax increment financing loan agreement between the City of Omaha and Lawnfield, LLC to implement The Centerline Tax Increment Financing (TIF) Redevelopment Project Plan for a project site located at 7001 Oak Street, which proposes the new construction of a 158 unit market rate apartment complex, comprised of two connected five story buildings; the agreement authorizes the use of up to \$2,941,000.00 in excess ad valorem taxes (TIF) – (First Reading October 17, 2017; Second Reading and Public Hearing October 24, 2017; Third Reading October 31, 2017) – [see attached](#).
40. ORD. 41290 – An ordinance approving a redevelopment and tax increment financing loan agreement between the City of Omaha and 3817 Dewey LLC, to implement the West Farnam Apartments Tax Increment Financing (TIF) Redevelopment Project Plan for a project site located at 3817 Dewey Avenue, which proposes a comprehensive rehabilitation of a historic 1912 apartment building located in the Blackstone neighborhood near the University of Nebraska Medical Center; the agreement authorizes the use of up to \$340,000.00 in excess ad valorem taxes (TIF) – (First Reading October 17, 2017; Second Reading and Public Hearing October 24, 2017; Third Reading October 31, 2017) – [see attached](#).

REMOVED FROM CONSENT AGENDA

41. SPECIAL ORD. 10220 – A special ordinance levying a special assessment for fines and civil penalties in accordance with Chapter 48, Article I, Division 15, the City of Omaha Vacant and Abandoned Property Ordinance of the Omaha Municipal Code on certain lots in the City of Omaha, Group No: 2017-01 – (First Reading October 17, 2017; Second Reading and Public Hearing October 24, 2017; Third Reading October 31, 2017) – [see attached](#).
- A. Amendment requested by the Planning Department - [see attached](#).
- B. Documentation submitted by Brittany Swait – [see attached](#).

The following person(s) appeared and spoke:

FOR THE CITY: Jay Davis, Assistant Planning Director

Motion by Festersen that the Amendment be approved

Seconded by Gray

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

Motion by Festersen that **SPECIAL ORDINANCE # 10220** be Approved as Amended

Seconded by Jerram

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

42. ORD. 41286 – 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 a Real Estate Purchase Agreement with Ronald Gruhn, 4721 North 17th Street, Omaha, NE 68110, to convey the property located at 4717 North 17th Street, in consideration of the sum of \$836.91; there are no expenses associated with the transfer of the property to Ronald Gruhn – (First Reading October 17, 2017; Second Reading and Public Hearing October 24, 2017; Third Reading October 31, 2017) – [see attached](#).
43. ORD. 41288 – An ordinance to accept the bid of Sandry Fire Supply, LLC to provide various fire hoses for the Omaha Fire Department in the total amount of \$34,537.50; the term of the agreement is for a term of 36-months – (First Reading October 17, 2017; Second Reading and Public Hearing October 24, 2017; Third Reading October 31, 2017) – [see attached](#).

- 44. ORD. 41287 – An ordinance to approve the acceptance of and authorize disbursement over more than one fiscal year from the FY 2016 Assistance to Firefighters (AFG) Grant Program – Fire Prevention and Safety, Award #EMW-2016-FP-00807, in the amount of \$189,620.00, a match of \$9,480.00 provided by the Omaha Fire Department from Fund 12168, Organization 130625, and total program budget in the amount of \$199,100.00, during the project period of August 11, 2017 to August 10, 2019; to provide funding for one (1) full-time Community Fire Safety Education Specialist position focused on North Omaha, smoke and carbon monoxide (CO) tamper-resistant detectors, and promotional materials for the Omaha Fire Department’s Public Education Division 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 – (First Reading October 17, 2017; Second Reading and Public Hearing October 24, 2017; Third Reading October 31, 2017) – [see attached](#).
- 45. ORD. 41289 – An ordinance to amend Section 23-232 of the Omaha Municipal Code, Referral of eligible, to modify the process for promotional appointments in the sworn police and fire service to make clear that applicants can be disqualified for promotions for Police and Fire Chief but not for other sworn positions – (First Reading October 17, 2017; Second Reading and Public Hearing October 24, 2017; Third Reading October 31, 2017) – [see attached](#).

* * * * *

Council President Gray announced that the public hearings on Agenda Items 46 through 60 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

PUBLIC HEARING – The following person(s) appeared and spoke:

PROPONENTS: Ryan Morrissey, 6112 Emmett Street (Item #56)
 Michael McGuire, 2402 South 13th Street, for ONE Omaha (Item #56)

OPPONENTS:
FOR THE CITY:

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

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

Item # 46 RESOLUTION # 1225;	Item # 47 RESOLUTION # 1226;
Item # 48 RESOLUTION # 1229;	Item # 49 RESOLUTION # 1227;
Item # 50 RESOLUTION # 1228;	Item # 51 RESOLUTION # 1230;
Item # 52 RESOLUTION # 1231;	Item # 53 RESOLUTION # 1232;
Item # 54 RESOLUTION # 1233;	Item # 55 RESOLUTION # 1236;
Item # 56 RESOLUTION # 1237;	Item # 57 RESOLUTION # 1238;
Item # 58 RESOLUTION # 1239;	Item # 59 RESOLUTION # 1241; and,
Item # 60 RESOLUTION # 1242;	

Seconded by Festersen

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

46. Res. that, as recommended by the Mayor, Change Order No. 1 with Roloff Construction, Inc. for additional work on OPW 52988, being the Monroe Outfall Pipe Replacements Project, is hereby approved; and that, the Finance Department is authorized to pay an additional sum of \$203,340.00 for this change order from the Sewer Revenue Improvements Fund 21124, CSO Control Implementation Organization 116918, year 2017 expenditures. Sewer Revenue Bonds will be issued to finance this project – CCID 1225 – [see attached](#).
47. Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue Purchase Orders to Genuine Parts Company dba Napa Auto Parts and O'Reilly Automotive Stores Inc. for the purchase of automotive and truck replacement parts and tires with related equipment, accessories, and services in the amount of \$180,000.00 to be utilized by the Fleet Management Division; and that, the Finance Department is authorized to pay this cost from the General Fund 11111, Equipment Organization 116175, year 2017 expenditures – CCID 1226 – [see attached](#).
48. Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Nebraska's Best Lawn & Landscape for the purchase of grounds maintenance services to be utilized at the Street Maintenance Division Facilities in the amount of \$21,592.00; and that, the Finance Department is authorized to pay the cost of this purchase from the Street and Highway Allocation Fund 12131, Street / Right Of Way Cleaning Organization 116152 – CCID 1229 – [see attached](#).
49. Res. that, as recommended by the Mayor, the contract with Valid Enterprise Group for OPW 53142, being the Headworks Access Improvements - Bar Screens Platforms, is hereby approved; and that, the Finance Department is authorized to pay the cost of \$69,560.00 from the Sewer Revenue Improvements Fund 21124, CSO Control Implementation Organization 116918, year 2017 expenditures. Sewer Revenue Bonds will be issued to finance this project – CCID 1227 – [see attached](#).
50. Res. that, as recommended by the Mayor, the Supplemental Agreement No. 1 with the Nebraska Department of Roads for the 2017 Maintenance Repair Project, Highway North 64, Maple Street to Cuming Street, known as M-64-7(1016), State Control No. 22665, and OPW 53023, with the City's local share in the amount of \$256,812.73, to be paid from the Street and Highway Allocation Fund 12131, Street Improvement Organization 116165, is hereby approved – CCID 1228 – [see attached](#).
51. Res. that, as recommended by the Mayor, the Supplemental Agreement No. 3 with HDR Engineering, Incorporated for engineering services on the Q Street Bridge replacement between 26th Street and 27th Street, known as Project BRO-5026(11), State Control No. 22325, and OPW 51461, with the City's local share in the amount of \$770.38, to be paid as a part of the 2018-2023 Capital Improvement Program Transportation Project #2008T105 from the 2014 Transportation Bond Fund 13184, Transportation Bonds Organization 117117, is hereby approved – CCID 1230 – [see attached](#).

52. Res. that, as recommended by the Mayor, the Agreement between the City of Omaha and GESU Housing, Inc. (GESU), Dale F. Barr, Jr., Executive Director, 5008 1/2-B Dodge Street, Omaha, Nebraska 68132, to provide \$500,000.00 (comprised of \$300,000.00 in HOME Program funds and \$200,000.00 in NAHTF funds) to GESU for the new construction of five (5) single-family houses to be located at 4013 Corby Street, 4114 Corby Street, 4304 Miami Street, 4219 Corby Street and 4306 Lake Street in the Clifton Hills South Neighborhood New Single-Family Housing Infill Program Target Area, and the subsequent purchase of the HOME/NAHTF and private funded houses by a qualified low and moderate-income family whose gross annual household income is at or below 80% (HOME or combination funded) or 120% (NAHTF funded) of the Median Income by Family Size (MFI), is hereby approved. HOME funds in the amount of \$300,000.00 shall be paid from the FY 2016 Single-Family New Infill Housing Fund No. 12179, Award No. 100416, Project No. 5146, Organization No. 128071. NAHTF funds in the amount of \$200,000.00 shall be paid from the FY 2016 NAHTF Funds shall be paid from the 16-TFHP-27059 Single-Family New Construction Fund No. 12141, Award No. 100520, Project No. 5490, Organization No. 128101 – CCID 1231 – [see attached](#).
53. Res. that, the Grant Agreement, as recommended by the Mayor, to provide funding in the amount of \$27,966.00 for the Lead-Based Paint Hazard Control work to the property owned by Marilyn Y. Goodwin and Walter L. Goodwin Sr., located at 3101 Myrtle Avenue, Omaha, NE 68131, is hereby approved. The contract is to be awarded to Rife Construction, Inc. Funds shall be paid as follows: \$27,966.00 from Lead 2015 NELHD0278-15, Fund No. 12136, Org. No. 128104 – CCID 1232 – [see attached](#).
54. Res. that, the appointment by Mayor Jean Stothert of Kristine A. Karnes as a nonvoting ex officio member of the Urban Design Review Board, to serve a three-year term commencing November 3, 2017, and expiring November 2, 2020, is hereby confirmed and approved – CCID 1233 – [see attached](#).
55. Res. that, the appointment by Mayor Jean Stothert of Alan Lincoln, Director of Real Estate of Kiewit Corporation, owner of property within the District, to be an additional board member of the Blackstone Business Improvement Board, to serve a five-year term commencing upon November 3, 2017 and expiring on November 2, 2022, is hereby confirmed and approved – CCID 1236 – [see attached](#).
56. Res. that, as recommended by the Mayor, the agreement between the City of Omaha and Nebraskans for Civic Reform on behalf of ONE Omaha in the amount of \$50,000.00 for the Lead and Neighborhood Leadership Academy programs from January 1, 2018 to December 31, 2018, and funding of such project, is hereby approved. Further that, the Finance Director is authorized to provide payment of \$50,000.00 from 2018 Community Services, General Fund 11111, Organization 126054; and, in accordance with the contract terms – CCID 1237 – [see attached](#).
57. Res. that, as recommended by the Mayor, the agreement between the City of Omaha and Completely KIDS (CK) in the amount of \$10,000.00 to operate the CK 26 Program from January 1, 2018 to December 31, 2018, and funding of such project, is hereby approved. Further that, the Finance Director is authorized to provide payment of \$10,000.00 from 2018 Community Services, Keno/Lottery Proceeds 12118, Organization 126066; and, in accordance with the contract terms – CCID 1238 – [see attached](#).

- 58. Res. that, as recommended by the Mayor, the agreement between the City of Omaha and Victory Boxing Club & Community Center in the amount of \$10,000.00 to operate a boxing mentoring program from January 1, 2018 to December 31, 2018, and funding of such project, is hereby approved. Further that, the Finance Director is authorized to provide payment of \$10,000.00 from 2018 Community Services, Keno/Lottery Proceeds 12118, Organization 126053; and, in accordance with the contract terms – CCID 1239 – [see attached](#).
- 59. Res. that, the appointment by Mayor Jean Stothert of Jeffrey A. Ehler as the Structural Engineer member of the Property Maintenance Appeals Board, commencing on November 3, 2017 and expiring on November 2, 2020, is hereby confirmed and approved – CCID 1241 – [see attached](#).
- 60. Res. that, the reappointment by Mayor Jean Stothert of Carrie J. Meyer, as a museum curator member of the Landmarks Heritage Preservation Commission, to serve a three (3) year term commencing on November 3, 2017, and expiring on November 2, 2020, is hereby confirmed – CCID 1242 – [see attached](#).

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RESOLUTION

- 61. Res. that, the City of Omaha Law Department is hereby authorized to conclude the pending litigation entitled *Elizabeth Bene v. City of Omaha*, Case No. CI 16-10036, by entry of JUDGMENT, in exchange for dismissal of all claims, by the payment of the full amount of One Hundred Thirty-Seven Thousand Five Hundred Dollars (\$137,500.00) to be paid from Contingent Liability Fund No. 11114, Organization No. 122101 and Account No. 46113 – CCID 1240 – [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 Melton that **RESOLUTION # 1240** be approved

Seconded by Gray

ROLL CALL:

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

Nays: None

MOTION APPROVED 7-0

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ORDINANCES ON SECOND READING

62. ORD. 41315 – An ordinance approving a redevelopment and tax increment financing loan agreement between the City of Omaha and Duane Dowd and Nicholas 16 Group, LLC, to implement The Hub Tax Increment Financing (TIF) Redevelopment Project Plan for a project site located at 1605 Nicholas Street, which proposes the renovation of an existing 14,335 square foot building, along with parking and site improvements on a parcel of approximately .80 acres to include a parking lot with 47 stalls, lighting and perimeter fencing; the agreement authorizes the use of up to \$300,000.00 in excess ad valorem taxes (TIF) generated by the development to help fund the cost of the project – (First Reading October 24, 2017; Second Reading and Public Hearing October 31, 2017; Third Reading November 7, 2017) – [see attached](#). **(PUBLIC HEARING TODAY)**

PUBLIC HEARING – The following person(s) appeared and spoke:

PROPONENTS:

OPPONENTS:

FOR THE CITY: Don Seaton, Planning Department

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

63. ORD. 41316 – An ordinance approving a redevelopment and tax increment financing loan agreement between the City of Omaha and CDGS 3618, LLC, to implement the Blackstone Corner Apartments and Shops Tax Increment Financing (TIF) Redevelopment Project Plan for a project site located at the northwest corner of 36th and Farnam Streets, which proposes to convert the entire site into a six story, 136,000 square foot mixed-use structure with 50 subgrade parking stalls and on-street parking stalls; the agreement authorizes the use of up to \$2,800,000.00 in excess ad valorem taxes (TIF) generated by the development to help fund the cost of the project – (First Reading October 24, 2017; Second Reading and Public Hearing October 31, 2017; Third Reading November 7, 2017) – [see attached](#). **(PUBLIC HEARING TODAY)**

PUBLIC HEARING – The following person(s) appeared and spoke:

PROPONENTS:

OPPONENTS:

FOR THE CITY: Bridget Hadley, Planning Department

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

64. ORD. 41314 – 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 a Real Estate Purchase Agreement with Seventy-Five North Revitalization Corporation, 4383 Nicholas Street, Suite 306, Omaha, NE 68131, to convey the properties located at 2901 North 30th Street and 2890 Maple Street in consideration of \$1.00; there are no expenses associated with the transfer of the property to Seventy-Five North Revitalization Corporation – (First Reading October 24, 2017; Second Reading and Public Hearing October 31, 2017; Third Reading November 7, 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.

65. ORD. 41312 – An ordinance to amend Section 23 - 177 of the Omaha Municipal Code concerning employment classifications by adding the employment classification entitled Workers Compensation and Safety Manager with a salary range of 22 AEC (\$75,236.72-\$90,054.64); to repeal Section 23 – 177 – (First Reading October 24, 2017; Second Reading and Public Hearing October 31, 2017; Third Reading November 7, 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.

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NON-ACTION ITEMS

City Clerk Elizabeth Butler announced that Items 66 through 83 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 NOVEMBER 14, 2017 DUE TO THE VETERANS DAY HOLIDAY)

Vantage

66. ORD. 41317 – An ordinance to rezone property located southeast of 156th and Ida Streets from AG-Agricultural District to DR-Development Reserve District – (First Reading October 24, 2017; Second Reading October 31, 2017; **Third Reading, Public Hearing and Vote November 7, 2017**) – [see attached](#).
67. ORD. 41318 – An ordinance to rezone property located southeast of 156th and Ida Streets from AG-Agricultural District to R6-Low-Density Multiple-Family Residential District – (First Reading October 24, 2017; Second Reading October 31, 2017; **Third Reading, Public Hearing and Vote November 7, 2017**) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
68. ORD. 41319 – An ordinance to approve a PUD-Planned Unit Development Overlay District in a R6-Low-Density Multiple-Family Residential District, located southeast of 156th and Ida Streets, and to approve the Development Plan – (First Reading October 24, 2017; Second Reading October 31, 2017; **Third Reading, Public Hearing and Vote November 7, 2017**) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
69. Res. that, the Final Plat entitled Vantage (Lot 1 and Outlots A-C), located southeast of 156th and Ida Streets, is hereby approved and accepted. The applicant is Burlington Capital – Outside City Limits – CCID 1209 – [see attached](#). **(LAID OVER TO NOVEMBER 7, 2017 TO COINCIDE WITH ITEM 66)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
70. Res. that, the Subdivision Agreement between the City of Omaha and Vantage at Stone Creek, LLC, a Delaware corporation. The Subdivision is to be known as Vantage (Lot 1 and Outlots A-C) and is located southeast of 156th and Ida Streets – CCID 1210 – [see attached](#). **(LAID OVER TO NOVEMBER 7, 2017 TO COINCIDE WITH ITEM 66)**

RESOLUTIONS

71. Res. that, the Hinky Dinky #3 Tax Increment Financing (TIF) Redevelopment Project Plan for a redevelopment site located at 4801-4811 NW Radial Highway which proposes a comprehensive rehabilitation of the property into three commercial bays to include an ice cream shop, a dance/performing arts studio and a neighborhood grocery store, recommending the City's participation through the allocation of TIF in an amount up to \$262,000.00 to offset TIF eligible expenses for building rehabilitation, architectural and engineering fees, environmental, 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 1221 – [see attached](#). **(LAID OVER TO THE NOVEMBER 21, 2017 CITY COUNCIL MEETING TO ADVERTISE FOR PUBLIC HEARING)**
72. Res. that, The Atlas (Allas) Tax Increment Financing (TIF) Redevelopment Project Plan for a redevelopment site located at 1609 Binney Street and 2922 North 16th Street which proposes to redevelop the properties by rehabilitating the existing buildings by changing the 4-plex apartment into a six unit building with the four 2-bedroom units as LIHTC units for income qualified households. The commercial building will be redeveloped as office space. No off-street parking is available, recommending the City's participation through the allocation of TIF in an amount up to \$78,000.00 to offset TIF eligible expenses for acquisition, rehabilitation of the structures, 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 1222 – [see attached](#). **(LAID OVER TO THE NOVEMBER 21, 2017 CITY COUNCIL MEETING TO ADVERTISE FOR PUBLIC HEARING)**

PLANNING ORDINANCES ON SECOND READING WITH PLANNING BOARD ATTACHMENTS

73. ORD. 41305 – An ordinance to rezone the property located at 4014 and 4016 South 13th Street from GC-General Commercial District and CC-Community Commercial District to R7-Medium Density Multiple-Family Residential District – (First Reading October 24, 2017; Second Reading October 31, 2017; **Third Reading, Public Hearing and Vote November 7, 2017**) – [see attached](#).
74. ORD. 41306 – An ordinance to amend the boundaries of the MCC-Major Commercial Overlay District, to incorporate into that district the property located at 4014 and 4016 South 13th Street – (First Reading October 24, 2017; Second Reading October 31, 2017; **Third Reading, Public Hearing and Vote November 7, 2017**) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
75. ORD. 41307 – An ordinance to rezone the property located at 4803 Northwest Radial Highway from GC-General Commercial District to CC-Community Commercial District – (First Reading October 24, 2017; Second Reading October 31, 2017; **Third Reading, Public Hearing and Vote November 7, 2017**) – [see attached](#).

76. ORD. 41308 – An ordinance to amend the boundaries of the MCC-Major Commercial Corridor Overlay District, to incorporate into that district the property located at 4803 Northwest Radial Highway – (First Reading October 24, 2017; Second Reading October 31, 2017; **Third Reading, Public Hearing and Vote November 7, 2017**) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
77. ORD. 41309 – An ordinance to rezone the property located at 928 South 72nd Street from GI-General Industrial District to CC-Community Commercial District (property is also located within the FF-Flood Fringe Overlay District and the ACI-2(65) Overlay District) – (First Reading October 24, 2017; Second Reading October 31, 2017; **Third Reading, Public Hearing and Vote November 7, 2017**) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).

ORDINANCES ON FIRST READING

78. ORD. 41313 – 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 a Real Estate Purchase Agreement with Holy Name Housing Corporation, 4324 Fort Street, Omaha, NE 68111, to convey the property located at 5918 South 50th Street and 3602-3606 Maple Street, in consideration of the sum of \$1.00; there are no expenses associated with the transfer of the property to Holy Name Housing Corporation – (First Reading October 31, 2017; **Second Reading and Public Hearing November 7, 2017**; Third Reading November 21, 2017) – [see attached](#).
79. ORD. 41324 – An ordinance to approve an Agreement between the City of Omaha and Aon Risk Services Central, Inc., to provide broker services to the City of Omaha for one year with an option to extend for additional years for the purposes of procuring insurance for various City properties; the Agreement contemplates an annual fee of \$65,000.00 payable upon execution with a credit made against that amount from retail commissions received by Aon up to the amount of the fee – (First Reading October 31, 2017; **Second Reading and Public Hearing November 7, 2017**; Third Reading November 21, 2017) – [see attached](#).
80. ORD. 41320 – An ordinance approving the agreement between Omaha Public Library and Unique Management Services, Inc. to provide delinquent account collection and materials recovery services for Omaha Public Library for long overdue library materials, involving payments from appropriations of more than one fiscal year in accordance with Section 5.17 of the Home Rule Charter, for a two-year period with options to renew for one additional one year period; to authorize the Finance Department to make payments in an anticipated amount of \$45,000.00 per year to Unique Management Services, Inc. for the cost of such services – (First Reading October 31, 2017; **Second Reading and Public Hearing November 7, 2017**; Third Reading November 21, 2017) – [see attached](#).

81. ORD. 41322 – An ordinance to accept the bid of Aramark Uniform Services to provide Linen, Towels (Laundered) for the Omaha Fire Department; the term of the agreement is for one year at a weekly cost of \$340.00 and total annual cost of \$17,680.00 with the City of Omaha parties having the option to extend the agreement monthly for an additional 24-month period at no increase in cost – (First Reading October 31, 2017; **Second Reading and Public Hearing November 7, 2017**; Third Reading November 21, 2017) – [see attached](#).
82. ORD. 41323 – An ordinance to authorize the acceptance of the bid from Waste Connections of 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 the City of Omaha, 1956, as amended; for rubbish container service at various Omaha Police Department facilities in the annual bid amount of \$15,929.68; to provide firm price commitments for the first two years of the agreement and price escalators in the third year of the price agreement only in the event of, and in the amount of, landfill price increases – (First Reading October 31, 2017; **Second Reading and Public Hearing November 7, 2017**; Third Reading November 21, 2017) – [see attached](#).
83. ORD. 41321 – An ordinance to approve and execute an agreement 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, by and between the City of Omaha and Ameritas Life Insurance Corp. to provide administrative services for the City's self-insured dental plan for a period of thirty-six (36) months commencing on January 1, 2018, and ending on December 31, 2020 with two additional one (1) year City options, in accordance with the lowest and best proposal submitted by Ameritas Life Insurance Corp – (First Reading October 31, 2017; **Second Reading and Public Hearing November 7, 2017**; Third Reading November 21, 2017) – [see attached](#).

EXECUTIVE SESSION

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

ADJOURNMENT

Motion by Festersen that the meeting be adjourned
Seconded by Melton

ROLL CALL:

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

Nays: None

Motion Passed 7-0

MEETING ADJOURNED AT: 2:35 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 October 31, 2017.

WITNESS:

CITY CLERK:

s/Sherri Brown
Sherri Brown

s/Elizabeth Butler
Elizabeth Butler

THE PROCEEDINGS OF THIS MEETING WERE PRESENTED TO MAYOR JEAN STOTHERT ON THE 2ND DAY OF NOVEMBER, 2017.