



## **CITY OF OMAHA 35TH CITY COUNCIL MEETING NOVEMBER 21, 2017**

THE CITY COUNCIL met in Regular Session on Tuesday, November 21, 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.

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### **CALL TO ORDER**

1. City Clerk Elizabeth Butler took the Roll Call  
  
**CCID # 1266** - Present: Jerram, Melton, Pahls, Palermo, Festersen, Harding, Mr. President
2. Council President Ben Gray led those present in the Pledge of Allegiance, followed by the Presentation of the Colors by the Uta Halee Academic Color Guard
3. Councilmember Brinker 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 November 17, 2017, notice of the Pre-Council and Regular City Council Meetings, November 21, 2017 – **CCID # 1267**.

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**

**SPECIAL USE PERMIT**

6. Res. that, the Special Use Permit application submitted by Rainwood Hill Properties, LLC, for a Major Amendment to a Special Use Permit to allow Nonputrescible landfill in an AG-Agricultural District, located southwest of 120th Street and Rainwood Road, Omaha, Nebraska, is hereby approved and the Permits and Inspection Division is directed to issue the necessary permit – CCID 1245 – [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 Melton that **RESOLUTION # 1245** be approved

Seconded by Festersen

ROLL CALL:

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

Nays: None

**MOTION APPROVED 7-0**

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**LIQUOR AND KENO RESOLUTIONS**

7. Class “C” Liquor License with Growler Endorsement – WFM Nebraska, LLC, dba “Whole Foods Market”, 10020 Regency Circle. (This is a new application for an old location.) Present licensee is Whole Foods Market Group, Inc., dba “Whole Foods Market”, who has a Class “C” with Growler Endorsement Liquor License – CCID 1286 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

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

PROPOSERS: Tim O’Neill, 121 S. 13th St., Lincoln, NE, Attorney for the applicant

OPPOSERS:

FOR THE CITY:

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

Motion by Harding that **RESOLUTION # 1286** be approved

Seconded by Melton

ROLL CALL:

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

Nays: None

**MOTION APPROVED 7-0**

8. Class "I" Liquor License Application – PRM Aksarben, LLC, dba "My Pie Pizza", 1303 South 72nd Street, Suite 108. (This is a new application for a new location.) Notice was posted on the property on 11/09/17; Notification was sent to property owners within 500 feet on 11/08/17 – CCID 1287 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

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

PROPOSERS: Blair Horner, PRM Aksarben, LLC, 1770 North Colson Avenue, Fremont, NE

OPPOSERS:  
FOR THE CITY:

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

Motion by Jerram that **RESOLUTION # 1287** be approved

Seconded by Gray

ROLL CALL:

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

Nays: None

**MOTION APPROVED 7-0**

9. Class "K" Catering Liquor License Application – The Berry & Rye, LLC, dba "The Berry & Rye", 1105 Howard Street. (This is a new application for an old location.) Presently holds a Class "C" Liquor License. Notice was posted on the property on 11/08/17; Notification was sent to property owners within 500 feet on 11/08/17 – CCID 1288 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

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

PROPOSERS: Ethan Bondelid, 6810 Underwood Avenue

OPPOSERS:  
FOR THE CITY:

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

Motion by Festersen that **RESOLUTION # 1288** be approved

Seconded by Jerram

ROLL CALL:

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

Nays: None

**MOTION APPROVED 7-0**

10. LM-Omaha, Inc., dba "Sheraton Omaha Hotel", 655 North 108th Avenue, requests permission to appoint Paul D. Hyde manager of their present Class "C" Liquor License location – CCID 1289 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

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

PROPOSERS: Paul D. Hyde, Sheraton Omaha Hotel, 655 North 108th Avenue

OPPOSERS:  
FOR THE CITY:

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

**CCID # 1289** - Motion by Melton that the request be approved

Seconded by Harding

ROLL CALL:

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

Nays: None

**MOTION APPROVED 7-0**

- 11. Omaha Community Playhouse, 6915 Cass Street, requests permission to appoint Katie E. Broman manager of their present Class "C" Liquor License location – CCID 1290 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

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

PROPOSERS: Katie Broman, Executive Director, Omaha Community Playhouse, 6915 Cass Street

OPPOSERS:

FOR THE CITY:

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

**CCID # 1290** - Motion by Festersen that the request be approved

Seconded by Jerram

ROLL CALL:

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

Nays: None

**MOTION APPROVED 7-0**

- 12. Res. that, in accordance with the Lottery Operator's Agreement with the City of Omaha, EHPV Lottery Services, LLC. is granted approval to operate a Big Red satellite keno location at 14901 Industrial Road, Twisted Post, in Omaha, Nebraska – CCID 1268 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

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

PROPOSERS: Katrina Coffey, Vice President of Marketing for Big Red Keno, 11248 John Galt Boulevard

OPPOSERS:

FOR THE CITY:

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

Motion by Harding that **RESOLUTION # 1268** be approved

Seconded by Melton

ROLL CALL:

Yeas: Jerram, Melton, Pahls, Palermo, Festersen, Harding, 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 13 through 18 were held on November 7, 2017. (Notice of the public hearings was published in the Daily Record on November 3, 2017; Ordinances as approved will be published in the Daily Record on November 29, 2017.)

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

Item # 13 **ORDINANCE # 41313**; Item # 14 **ORDINANCE # 41320**;

Item # 15 **ORDINANCE # 41322**; Item # 16 **ORDINANCE # 41323**;

Item # 17 **ORDINANCE # 41324**; and, Item # 18 **ORDINANCE # 41321**;

Seconded by Festersen

ROLL CALL:

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

Nays: None

**MOTION APPROVED 7-0**

## **CONSENT AGENDA – ORDINANCES**

13. 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](#).
14. 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](#).
15. 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](#).



ROLL CALL:

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

Nays: None

**MOTION APPROVED 7-0**

**CONSENT AGENDA – RESOLUTIONS**

19. Res. that, as recommended by the Mayor, the Professional Services Agreement with HDR Engineering to provide professional services on OPW 52893, being the 168th Street - West Dodge Road to West Maple Road Project, is hereby approved and that, the Finance Department is authorized to pay a fee not to exceed \$988,121.90, to be paid from the 2014 Transportation Bond Fund 13184, Transportation Bonds Organization 117117, year 2017 expenditures – CCID 1275 – [see attached](#).
20. Res. that, as recommended by the Mayor, the Professional Services Agreement with Lamp Rynearson & Associates to provide professional services on OPW 53272, being the Sorenson Redman Basin Study Project, is hereby approved and that, the Finance Department is authorized to pay a fee not to exceed \$99,500.00, to be paid from the Sewer Revenue Improvements Fund 21124, Sewer Separation Organization 116912, year 2017 expenditures – CCID 1276 – [see attached](#).
21. Res. that, as recommended by the Mayor, the Professional Services Agreement with Olsson Associates to provide professional services on OPW 52894, being the 168th Street - V Street to Harrison Street Project, is hereby approved and that, the Finance Department is authorized to pay a fee not to exceed \$99,250.00, to be paid from the 2014 Transportation Bond Fund 13184, Transportation Bonds Organization 117117, year 2017 expenditures – CCID 1277 – [see attached](#).
22. Res. that, as recommended by the Mayor, the Professional Services Agreement with CWP Architects to provide engineering services for OPW 53297, being the Public Works Central Maintenance Roof Replacement Project, is hereby approved and that, the Finance Department is authorized to pay a fee not to exceed \$30,250.00, which will be paid from the Contingent Liability Fund 11114, General Government Organization 132022, year 2017 expenditures – CCID 1278 – [see attached](#).
23. Res. that, as recommended by the Mayor, the Professional Services Agreement with Liberty Core Consultants to provide professional services on MAPA - 5127 (1), CN 22376, OPW 50677, being the 156th Street - Pepperwood Drive to Corby Street Project, is hereby approved and that, the Finance Department is authorized to pay a fee not to exceed \$145,730.00, to be paid from the 2014 Transportation Bond Fund 13184, Transportation Bonds Organization 117117, year 2017 expenditures – CCID 1291 – [see attached](#).
24. Res. that, as recommended by the Mayor, the agreement with Steven Jensen Consulting, L.L.C., for planning consulting services in the amount not to exceed \$75,000.00 for January 1, 2018 through December 31, 2018 is hereby approved. Funds shall be payable from FY 2018 General Fund, Fund No. 11111, Administration Organization No. 109011 – CCID 1279 – [see attached](#).



25. Res. that, as recommended by the Mayor, the bid in the total amount of \$42,500.00 from Ainsley Brothers Holding, LLC to furnish all labor, materials, and equipment necessary for the repair of damaged pavilion caused by vehicle impact located at Brown Park Pavilion, 5708 South 15th Street, Omaha, Nebraska, being the best bid received within bid specifications, is hereby accepted. The Purchasing Agent is authorized to issue a purchase order in conformance herewith; and that the Finance Department is authorized to pay the Funds in the total amount of \$42,500.00 from the 2014 Parks and Recreation Fund No. 13356, Organization No. 117317 Parks and Cultures Bond – CCID 1271 – [see attached](#).
  
26. Res. that, as recommended by the Mayor, the bid in the total amount of \$46,500.00 from Ainsley Brothers Holding, LLC to furnish all labor, materials, and equipment necessary for the repair of the pool bathhouse wall located at Spring Lake Pool, 4020 Hctor Boulevard, Omaha, Nebraska, being the best bid received within bid specifications, is hereby accepted. The Purchasing Agent is authorized to issue a purchase order in conformance herewith; and that the Finance Department is authorized to pay the Funds in the total amount of \$46,500.00 from the 2014 Parks and Recreation Fund No. 13356, Organization No. 117317 Parks and Cultures Bond – CCID 1272 – [see attached](#).
  
27. Res. that, as recommended by the Mayor, the purchase based upon the quote of Sid Dillon Wahoo, Inc. in the amount of \$177,825.00 for five Chevrolet Tahoe Police Large Special Service Vehicles (SSV) for the Omaha Police Department Canine Unit, which represents Nebraska State Contract bid pricing, having been determined to be the best available current price for the SSVs, is hereby approved, and that, the Finance Department of the City of Omaha is authorized to pay the cost of the Chevy Tahoe SSVs in the amount of \$177,825.00 from Year 2017, General Fund 11111, Organization 113141 Fleet/Facilities, Account 47031 Vehicles Small/Law Enforcement Only – CCID 1270 – [see attached](#).
  
28. Res. that, as recommended by the Mayor, the purchase from Firefighter Inspiration Readiness & Education, LLC in the amount of \$29,415.00 for the delivery of the Mastering Unified Command training is hereby approved. Further that, the Finance Director is authorized to provide payment of \$29,415.00 from the Nebraska Emergency Management Agency (NEMA) FY 2015 State Homeland Security Grant, Award # EMW-2015-SS-00079-S01, approved by City Council on November 17, 2015, Ordinance No. 40558, Fund 12151, Organization 130762 – CCID 1269 – [see attached](#).
  
29. Res. that, the Mayor has reappointed Steven Widhalm to serve a three-year term as an air conditioning and air distribution contractor member of the Air Conditioning and Air Distribution Board, primarily engaged in residential work and affiliated with a merit or open shop, said term shall commence November 29, 2017, and expire three (3) years thereafter, on November 27, 2020, be and hereby is confirmed and approved – CCID 1273 – [see attached](#).
  
30. Letter from the Chairman of the Board of Equalization for the report for the Plan of Assessment with adjustments and corrections made at their regular meeting held November 7, 2017 – CCID 1280 – [see attached](#).

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## **RESOLUTIONS**

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

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

PROPOSERS:

OPPOSERS:

FOR THE CITY: Don Seaton, Planning Department

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

Motion by Melton that **RESOLUTION # 1221** be approved

Seconded by Festersen

ROLL CALL:

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

Nays: None

**MOTION APPROVED 7-0**

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

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

PROPOSERS: Lawrence Butler, 1609 Binney Street

OPPOSERS:

FOR THE CITY: Don Seaton, Planning Department

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

Motion by Festersen that **RESOLUTION # 1222** be approved

Seconded by Gray

ROLL CALL:

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

Nays: None

**MOTION APPROVED 7-0**

33. Res. that, it does hereby approve the settlement of the case entitled *Phillip A. Nielsen-Collins v. City of Omaha, et al*, case number CI 16-4464, filed in the District Court of Douglas County Nebraska, in the amount of one hundred and fifty thousand dollars (\$150,000.00) in full and complete settlement of this case. Be it further resolved that, the Law Department of the City of Omaha is hereby authorized and empowered to execute and deliver and approve and receive all appropriate settlement documents to cause the conclusion of this case, including the settlement agreement, and any necessary releases and that the funds satisfy the same, shall be paid out of the Judgment Fund, Special Levy Judgment Fund Number 12111, ORG 121101, Account Number 46113 – CCID 1274 – [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 # 1274** be approved

Seconded by Gray

ROLL CALL:

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

Nays: None

**MOTION APPROVED 7-0**

## **RESOLUTIONS – LEGISLATIVE PACKAGE**

34. Res. that, at the request of Mayor Jean Stothert and Councilmember Pete Festersen, the legislative package of the City of Omaha for the Second Session of the One-Hundred and Fifth Legislature of the State of Nebraska shall introduce a bill to change the Highway Trust Fund and/or the Highway Allocation Fund so metropolitan Omaha is apportioned an increase in funds which is more associated with its citizen's contributions and its infrastructure needs – CCID 1292 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

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

PROPOSERS:

OPPOSERS: Ricky Fulton, 410 South 82nd Street

FOR THE CITY: Jack Cheloha, City Lobbyist

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

Motion by Festersen that **RESOLUTION # 1292** be approved

Seconded by Melton

ROLL CALL:

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

Nays: None

**MOTION APPROVED 7-0**

35. Res. that, at the request of Councilmember Pete Festersen, the legislative package of the City of Omaha for the Second Session of the One-Hundred and Fifth Legislature of the State of Nebraska shall state its support for L.B. 194, introduced by State Senator Tony Vargas, to change provisions of the Credit Services Organization Act, Delayed Deposit Services Licensing Act, and Nebraska Installment Loan Act to regulate payday lenders and control usury interest rates – CCID 1293 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

A. Communications and documentation in support – [see attached](#).

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

PROPOSERS:  
Senator Tony Vargas, 713 Caniglia Plaza  
Julie Kalkowski, 3511 Webster Street  
Amanda Brewer, Habitat for Humanity, 1701 North 24th Street  
Jim Morley, 105 South 9th Street #307, for OTOC  
Julia Tse, 7521 Main Street #103, for Voices for Children - Nebraska  
Ken Smith, 316 S. 50th Avenue, for Nebraska Appleseed  
Luis Jimenez, 3126 Chicago Street  
Sam Carwyn, 4633 North 94th Street  
OPPOSERS:  
Brad Hill, 2106 South 138th Street  
FOR THE CITY:  
Jack Cheloha, City Lobbyist

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

Motion by Festersen that **RESOLUTION # 1293** be approved

Seconded by Jerram

ROLL CALL:

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

Nays: None

**MOTION APPROVED 7-0**

36. Res. that, at the request of Councilmember Pete Festersen, the legislative package of the City of Omaha for the Second Session of the One-Hundred and Fifth Legislature of the State of Nebraska shall support a bill, if introduced, to allow mental health professionals to seek to initiate protective custody based upon similar authority as peace officers have now – CCID 1294 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

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

PROPOSERS:  
Sarita Penka, 1305 North 129th Circle, for OTOC Action Team  
OPPOSERS:  
FOR THE CITY:  
Jack Cheloha, City Lobbyist

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

Motion by Festersen that **RESOLUTION # 1294** be approved

Seconded by Jerram

ROLL CALL:

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

Nays: None

**MOTION APPROVED 7-0**

37. Res. that, at the request of Councilmember Pete Festersen, the legislative package of the City of Omaha for the Second Session of the One-Hundred and Fifth Legislature of the State of Nebraska shall support a bill, if introduced, to allow transporting of behavioral health protective custody patients across state lines in order to have access to more beds and to work together as a community – CCID 1295 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

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

PROPOSERS: Sarita Penka, 1305 North 129th Circle, for OTOC Action Team  
Mary Ann Borgeson, Douglas County Commissioner – District 6

OPPOSERS:

FOR THE CITY: Jack Cheloha, City Lobbyist

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

Motion by Festersen that **RESOLUTION # 1295** be approved

Seconded by Jerram

ROLL CALL:

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

Nays: None

**MOTION APPROVED 7-0**

38. Res. that, at the request of City Councilmember Aimee Melton, the legislative package of the City of Omaha for the Second Session of the One-Hundred and Fifth Legislature of the State of Nebraska shall introduce a bill to create the Combined Sewer Overflow Infrastructure Assistance Act by refunding growth in State sales tax of 5.5% on sewer use fees to cities with federally mandated CSO projects – CCID 1298 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

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

PROPOSERS: Luis Jimenez, 3126 Chicago Street

OPPOSERS:

FOR THE CITY: Jack Cheloha, City Lobbyist

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

Motion by Melton that **RESOLUTION # 1298** be approved

Seconded by Harding

ROLL CALL:

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

Nays: None

**MOTION APPROVED 7-0**

39. Res. that, at the request of City Prosecutor Matt Kuhse, the legislative package of the City of Omaha for the Second Session of the One-Hundred and Fifth Legislature of the State of Nebraska shall introduce a bill to reform the process for prosecutors to appeal a case or ruling – CCID 1296 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

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

PROPOSERS:

OPPOSERS:

FOR THE CITY: Jack Cheloha, City Lobbyist  
Matt Kuhse, City Prosecutor

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

Motion by Melton that **RESOLUTION # 1296** be approved

Seconded by Jerram

ROLL CALL:

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

Nays: None

**MOTION APPROVED 7-0**

40. Res. that, at the request of City of Omaha Police Department, the legislative package of the City of Omaha for the Second Session of the One-Hundred and Fifth Legislature of the State of Nebraska shall support a bill, if introduced, to allow peace officers to return a child under 11 years of age to their parents after custody – CCID 1297 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

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

PROPOSERS: LaVon Stennis-Williams, 1941 South 42nd Street, Suite #502, with ReConnect, Inc.

Janee Pannkuk, Operation Youth Success, 6001 Dodge Street

OPPOSERS:

FOR THE CITY: Jack Cheloha, City Lobbyist

Lt. George Merithew, Omaha Police Department

Matt Kuhse, City Prosecutor

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

Motion by Melton that **RESOLUTION # 1297** be approved

Seconded by Palermo

ROLL CALL:

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

Nays: None

**MOTION APPROVED 7-0**

41. Res. that, at the request of City of Omaha Police Department, the legislative package of the City of Omaha for the Second Session of the One-Hundred and Fifth Legislature of the State of Nebraska shall include a bill to allow civilian Police Department employees who regularly, as part of their assigned duties, handle, process or is likely to come into contact with any evidence or property which may include opioids to have immunity for using naloxone in good faith during an emergency – CCID 1299 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

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

PROPOSERS:

OPPOSERS:

FOR THE CITY: Jack Cheloha, City Lobbyist

Lt. George Merithew, Omaha Police Department

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

Motion by Jerram that **RESOLUTION # 1299** be approved

Seconded by Festersen

ROLL CALL:

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

Nays: None

**MOTION APPROVED 7-0**

- 42. Res. that, pursuant to the recommendation of the Law Committee of the City Council, the City Lobbyist, John A. "Jack" Cheloha, is hereby designated as the official lobbyist of the City of Omaha and its citizens before the Legislature, legislative committees and individual senators, and that all City employees are authorized to furnish information, reports, data and testimony before the Legislature, legislative committees and individual senators when deemed necessary or appropriate by the City Lobbyist when he is acting in his capacity as the official representative of the City – CCID 1300 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

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

PROPOSERS:

OPPOSERS:

FOR THE CITY:        Jack Cheloha, City Lobbyist  
                               Lt. George Merithew, Omaha Police Department

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

Motion by Jerram that **RESOLUTION # 1300** be approved

Seconded by Gray

ROLL CALL:

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

Nays: None

**MOTION APPROVED 7-0**

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**ORDINANCES ON SECOND READING**

- 43. ORD. 41328 – An ordinance approving a redevelopment and tax increment financing loan agreement between the City of Omaha and 563, LLC, to implement the Bijoux Residences Tax Increment Financing (TIF) Redevelopment Project Plan for a project site located at 563 South 18th Street, which proposes to restore and rehabilitate the 3-story mixed-use structure; the agreement authorizes the use of \$246,757.00 in excess ad valorem taxes (TIF) generated by the development to help fund the cost of the project – (First Reading November 7, 2017; Second Reading and Public Hearing November 21, 2017; Third Reading December 5, 2017) – [see attached](#). **(PUBLIC HEARING TODAY)**

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

PROPOSERS:

OPPOSERS:

FOR THE CITY:        Bridget Hadley, Planning Department

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

44. ORD. 41329 - An ordinance to accept the bid of Abe’s Trash, Inc. to provide seasonal rubbish container service for two (2) cubic yard containers for the Swimming Pools in the Recreation Division, located at Cryer Pool, Deer Ridge Pool, Elkhorn Pool, Gallagher Pool, Hanscom Pool, Hitchcock Pool, Karen Pool, Lee Valley Pool, Miller Water Park, Oak Heights Pool, Roanoke Pool, Spring Lake Pool, and Zorinsky Aquatic Center, Omaha, Nebraska in the amount of \$1,832.00 for the Parks, Recreation, and Public Property Department. The price agreement will be effective for an initial period of 12 months, effective October 1, 2017, and renewable for two separate one year periods – (First Reading November 7, 2017; Second Reading and Public Hearing November 21, 2017; Third Reading December 5, 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.

45. ORD. 41326 – An ordinance to approve the acceptance of and authorize disbursement over more than one fiscal year from the Bureau of Justice Assistance, FY 2017 Criminal and Juvenile Justice and Mental Health Collaboration Program Grant, Award #2017-MO-BX-0052 in the amount of \$75,000.00, during the project period of October 1, 2017 to September 30, 2018; to build the Heartland Crisis Intervention Team’s (CIT) capacity to comprehensively respond to people with mental illnesses in the Omaha metro area; 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 November 7, 2017; Second Reading and Public Hearing November 21, 2017; Third Reading December 5, 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.

46. ORD. 41325 – 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-159, at 2910 “F” Street, as requested by Andrew Gangestad of Gangestad Properties, LLC – (First Reading November 7, 2017; Second Reading and Public Hearing November 21, 2017; Third Reading December 5, 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.

\* \* \* \* \*

**COUNCILMEMBER FESTERSEN LEFT THE LEGISLATIVE CHAMBERS AT 4:26 P.M.**

**ORDINANCES ON FIRST READING**

47. ORD. 41349 – An ordinance vacating a portion of the North 102nd Frontage Road between Nicholas Street and the intersection with 102nd Street – (First Reading November 21, 2017; **Second Reading and Public Hearing December 5, 2017**; Third Reading December 12, 2017) – [see attached](#). **(THE APPLICANT IS REQUESTING THE PUBLIC HEARING BE MOVED TO THE THIRD READING (12/12/17) TO COINCIDE WITH THE PLANNING ITEMS RELATED TO THIS DEVELOPMENT)**



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

Motion by Jerram that the public hearing for **ORDINANCE # 41349** be held on December 12, 2017

Seconded by Harding

ROLL CALL:

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

Nays:

Absent: Festersen

**Motion Approved 6-0**

- 48. ORD. 41348 – An ordinance providing for the designation of an Enhanced Employment Area; the levy of a general business occupation tax as requested by the property owner(s); providing for the administration, imposition and collection of such occupation tax; specifying how such tax revenue will be used; and related matters – (First Reading November 21, 2017; **Second Reading and Public Hearing December 5, 2017**; Third Reading December 12, 2017) – [see attached](#). **(THE APPLICANT IS REQUESTING THE PUBLIC HEARING BE MOVED TO THE THIRD READING (12/12/17) TO COINCIDE WITH THE PLANNING ITEMS RELATED TO THIS DEVELOPMENT)**

Motion by Jerram that the public hearing for **ORDINANCE # 41348** be held on December 12, 2017

Seconded by Harding

ROLL CALL:

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

Nays:

Absent: Festersen

**Motion Approved 6-0**

\* \* \* \* \*

**NON-ACTION ITEMS**

(Items 49 through 75 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 28, 2017 DUE TO THE THANKSGIVING HOLIDAY)

**PUTT'N PLACE**

- 49. ORD. 41345 – An ordinance to rezone property located southwest of 102nd and Nicholas Streets from CC-Community Commercial District to CC-Community Commercial District – (First Reading November 21, 2017; **Second Reading December 5, 2017**; Third Reading, Public Hearing and Vote December 12, 2017) – [see attached](#).

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

50. ORD. 41346 – An ordinance to rezone property located southwest of 102nd and Nicholas Streets from CC-Community Commercial District to GC-General Commercial District – (First Reading November 21, 2017; **Second Reading December 5, 2017**; Third Reading, Public Hearing and Vote December 12, 2017) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
51. ORD. 41347 – An ordinance to amend the boundaries of the ACI-3(PL)-Area of Civic Importance Overlay District, to incorporate into that district the property located southwest of 102nd and Nicholas Streets – (First Reading November 21, 2017; **Second Reading December 5, 2017**; Third Reading, Public Hearing and Vote December 12, 2017) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
52. Res. that the Preliminary Plat entitled Putt'n Place, located southwest of 102nd and Nicholas Streets, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized. The applicant is Westroads Investors, LLC – Inside City Limits – CCID 1283 – [see attached](#). **(LAID OVER TO DECEMBER 12, 2017 TO COINCIDE WITH ITEM 49 AND TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
53. Res. that the Final Plat entitled Putt'n Place, located southwest of 102nd and Nicholas Streets, is hereby approved and accepted. The applicant is Westroads Investors, LLC – Inside City Limits – CCID 1282 – [see attached](#). **(LAID OVER TO DECEMBER 12, 2017 TO COINCIDE WITH ITEM 49)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
54. ORD. 41344 – An ordinance to approve a Development Agreement for property located southwest of 102nd and Nicholas Streets between the City of Omaha and Westroads Investors, LLC, providing site development standards – (First Reading November 21, 2017; **Second Reading December 5, 2017**; Third Reading, Public Hearing and Vote December 12, 2017) – [see attached](#).
55. Res. that, the Subdivision Agreement between the City of Omaha and Westroads Investors, LLC, a Nebraska limited liability company, 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 Putt'n Place (Lots 1-3 and Outlot A) and is located southwest of 102nd and Nicholas Streets – CCID 1285 – [see attached](#). **(LAID OVER TO DECEMBER 12, 2017 TO COINCIDE WITH ITEM 49)**
56. Res. that the Special Use Permit application submitted by Westroads Investors, LLC for a Large Project Special Use Permit in a GC-General Commercial District, with a waiver of Section 55-406 Height (170 feet), for property located southwest of 102nd and Nicholas Streets, is hereby approved and the Permits and Inspection Division is directed to issue the necessary permit, and all applicable local or state statutes, ordinances or

regulations are complied with, and 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 1284 – [see attached](#). **(LAID OVER TO DECEMBER 12, 2017 TO COINCIDE WITH ITEM 49 AND TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**

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

#### **KENNEDY EARLY CHILDHOOD CENTER**

57. ORD. 41340 – An ordinance to rezone property located at 3200 North 30th Street from GI-General Industrial District to R5-Urban Family Residential District – (First Reading November 21, 2017; **Second Reading December 5, 2017**; Third Reading, Public Hearing and Vote December 12, 2017) – [see attached](#).

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

58. ORD. 41341 – An ordinance to amend the boundaries of the ACI-1(PL)-Area of Civic Importance Overlay District, to incorporate into that district the property located at 3200 North 30th Street – (First Reading November 21, 2017; **Second Reading December 5, 2017**; Third Reading, Public Hearing and Vote December 12, 2017) – [see attached](#).

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

59. Res. that the Special Use Permit application submitted by Seventy Five North Revitalization Corporation, for a Special Use Permit to allow Day care (general) in a R5-Urban Family Residential District located at 3200 North 30th Street, Omaha, Nebraska, is hereby approved and the Permits and Inspection Division is directed to issue the necessary permit, and all applicable local or state statutes, ordinances or regulations are complied with, and 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 1281 – [see attached](#). **(LAID OVER TO DECEMBER 12, 2017 TO COINCIDE WITH ITEM 57 AND TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**

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

#### **RESOLUTIONS**

60. Res. that, the Eagle Heights Tax Increment Financing (TIF) Redevelopment Project Plan for a redevelopment site located northwest of 23rd and “N” Streets which proposes to construct a new four-story multi-family structure which will contain 44 affordable apartment units ranging from studios to three-bedrooms and on-site parking, recommending the City’s participation through the allocation of TIF in an amount up to \$310,000.00 to offset TIF eligible expenses for acquisition, demolition, architectural and engineering fees, water/sewer main improvements, 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 1252 – [see attached](#). **(LAID OVER TO THE DECEMBER 5, 2017 CITY COUNCIL MEETING TO ADVERTISE FOR PUBLIC HEARING)**

## **PLANNING ORDINANCE ON SECOND READING WITH PLANNING BOARD ATTACHMENT**

61. ORD. 41327 – An ordinance to approve a Major Amendment to the Mixed Use District Development Agreement for West Village Pointe, located southeast of 180th Street and West Dodge Road, between the City of Omaha and The Lerner Company, providing site development standards – (First Reading November 7, 2017; Second Reading November 21, 2017; **Third Reading, Public Hearing and Vote December 5, 2017**) – [see attached](#).
- A. Planning Board and Planning Department recommend denial of a Major Amendment to remove all pedestrian trails and trail connections in Outlot C and D – [see attached](#).
- B. Planning Board and Planning Department recommend approval of a Major Amendment that requires the pedestrian trail through Outlot D from 178th Avenue to Burke Street but eliminates the internal pedestrian trail in Outlot C, for the property located southeast of 180th Street and West Dodge Road – [see attached](#).

## **PLANNING ORDINANCES ON FIRST READING WITH PLANNING BOARD ATTACHMENTS**

62. ORD. 41334 – An ordinance to rezone the property located northwest of 60th Street and Northwest Radial Highway from R7-Medium Density Multiple-Family Residential District and GO-General Office District to R7-Medium-Density Multiple-Family Residential District – (First Reading November 21, 2017; **Second Reading December 5, 2017**; Third Reading, Public Hearing and Vote December 12, 2017) – [see attached](#).
63. ORD. 41335 – An ordinance to amend the boundaries of the MCC-Major Commercial Corridor Overlay District, to incorporate into that district the property located northwest of 60th Street and Northwest Radial Highway – (First Reading November 21, 2017; **Second Reading December 5, 2017**; Third Reading, Public Hearing and Vote December 12, 2017) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
64. ORD. 41336 – An ordinance to rezone the property located at 424 South 24th Street from DS-Downtown Services District to CBD-Central Business District (property is also located within an ACI-1 Overlay District) – (First Reading November 21, 2017; **Second Reading December 5, 2017**; Third Reading, Public Hearing and Vote December 12, 2017) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
65. ORD. 41337 – An ordinance to rezone the properties located at 1406, 1407, 1409, 1410, 1411 and 1414 South 13th Street from GI-General Industrial District to NBD-Neighborhood Business District (properties are also located within an existing ACI-1 Overlay District) – (First Reading November 21, 2017; **Second Reading December 5, 2017**; Third Reading, Public Hearing and Vote December 12, 2017) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).

66. ORD. 41338 – An ordinance to rezone the properties located at 1206 and 1208 South 20th Street from GI-General Industrial District to R7-Medium-Density Multiple-Family Residential District – (First Reading November 21, 2017; **Second Reading December 5, 2017**; Third Reading, Public Hearing and Vote December 12, 2017) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
67. ORD. 41339 – An ordinance to rezone the properties located at 5611 and 5613 Charles Street from R4(35)-Single-Family Residential District (High Density) to R5-Urban Family Residential District – (First Reading November 21, 2017; **Second Reading December 5, 2017**; Third Reading, Public Hearing and Vote December 12, 2017) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
68. ORD. 41342 – An ordinance to approve an Amendment to the Land Use Element of the Master Plan for the City of Omaha, to change the future land designation from office/commercial and low-density residential to office/commercial for an area bound by Meredith Avenue on the north, Ames Avenue on the south, Fontenelle Boulevard on the east and 45th Street on the west – (First Reading November 21, 2017; **Second Reading December 5, 2017**; Third Reading, Public Hearing and Vote December 12, 2017) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
69. ORD. 41343 – An ordinance to approve an Amendment to the Land Use Element of the Master Plan for the City of Omaha, to assign the future land designation as low-density residential for an area generally southwest of 144th Street and West Dodge Road – (First Reading November 21, 2017; **Second Reading December 5, 2017**; Third Reading, Public Hearing and Vote December 12, 2017) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).

#### **ORDINANCES ON FIRST READING**

70. ORD. 41331 – An ordinance authorizing the issuance of purchase orders to Safelite Fulfillment, Inc. for a two year price agreement for auto glass replacement and repair to be utilized by the Fleet Management Division to be effective from the time of passage of this Ordinance and extendable for one additional one year period at the sole option of the City, to provide for payments from appropriations of more than one year in accordance with Section 5.17 of the Home Rule Charter of 1956 – (First Reading November 21, 2017; **Second Reading and Public Hearing December 5, 2017**; Third Reading December 12, 2017) – [see attached](#).
71. ORD. 41332 – 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 Church of the Sacred Heart of Omaha, located at 2207 Wirt Street, Omaha, NE 68110, to convey the property described in the attached agreement, located at 2217 and 2217 1/2 Wirt Street, in consideration of the sum of \$1,415.00; there are no expenses associated with the transfer of the property to Holy Name Housing Corporation

- (First Reading November 21, 2017; **Second Reading and Public Hearing December 5, 2017**; Third Reading December 12, 2017) – [see attached](#).
72. ORD. 41351 – An ordinance to approve the proposals of Racom Corporation, Motorola, and Black Box Corporation to provide a Fire Station Alerting system and installation for the Omaha Fire Department at a cost of \$2,465,514.17; to provide for annual service of the Fire Station Alerting system by Racom Corporation starting on January 1, 2020 and going through January, 2027 at a cost of \$113,632.48 in 2020, 2021 and 2022 and \$121,013.94 from 2023 to 2027, in accordance with Section 5.17 of the Home Rule Charter of the City of Omaha 1956 as amended – (First Reading November 21, 2017; **Second Reading and Public Hearing December 5, 2017**; Third Reading December 12, 2017) – [see attached](#).
73. ORD. 41330 – An ordinance to approve an agreement between the City of Omaha and the Douglas County Board of Commissioners, Douglas County Administrative Office in the amount of \$109,231.00; and (2) to authorize funding for such agreement from the City of Omaha’s FY 2016 STOP Violence Against Women (VAWA) Grant, Award #16-VW-0707, awarded by the Nebraska Crime Commission; to provide funding for one (1) full-time Misdemeanor Prosecutor and partial funding of one (1) full-time Liaison in the Douglas County Attorney’s Office Domestic Violence Prosecution Unit as part of the Douglas County Community Response Team; involving appropriations of more than one year in conformity with Section 5.17 of the Home Rule Charter – (First Reading November 21, 2017; **Second Reading and Public Hearing December 5, 2017**; Third Reading December 12, 2017) – [see attached](#).
74. ORD. 41333 – An ordinance to establish pursuant to Section 40-251 of the Omaha Municipal Code a new Class “B” Flammable Liquids Storage District to be known as District No. B-198 at 6404 North 70th Plaza, as requested by Todd Schuiteman of Quality Living, Inc. – (First Reading November 21, 2017; **Second Reading and Public Hearing December 5, 2017**; Third Reading December 12, 2017) – [see attached](#).
75. ORD. 41350 – An ordinance re-authorizing a Business Improvement District under the authority of the Business Improvement District Act, Nebraska Revised Statute Section 19-4015, et seq., known as the Blackstone Business Improvement District (BID No. 6877) with boundaries starting at the west side of 36th Street and then proceeding westward along Farnam Street to the eastern curb of 42nd Street, to include all properties having frontage on Farnam Street for the purpose of continuing activities, works and improvements in the Blackstone area for the City of Omaha, Nebraska; to ensure that the Blackstone Business Improvement District created pursuant to the City Council’s Resolution of Intention is consistent with it; the ordinance; to identify the properties benefited by the proposed improvements will be subject to special assessments in accordance with the Blackstone Business Improvement District Plan; to provide for special assessment in an amount not to exceed \$6.00 per front foot, with an annual escalator of 5% on this rate for cleaning and maintenance, security, lighting, promotion, roadway improvements, and beautification to be imposed upon such District based upon the benefits conferred with an approximate budget for the first year of \$18,750.00; to provide for the assessment of property specially benefited within the District; to provide a method of assessment to be assessed upon properties specially benefited by the District – (First Reading November 21, 2017; **Second Reading and Public Hearing December 5, 2017**; Third Reading December 12, 2017) – [see attached](#).



## **EXECUTIVE SESSION**

76. Motion to go into Executive Session for the purpose of discussing labor negotiations.

Motion by Councilmember Jerram to go into executive session to protect the public interest to only discuss labor negotiations

Seconded by Melton

ROLL CALL:

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

Nays:

Absent: Festersen

**MOTION APPROVED 6-0**

Council President Ben Gray restated for the record the purpose of the executive session was to protect the public interest to only discuss labor negotiations. President Gray then stated the executive session would include: City Council, City Attorney, City Clerk, City Council Chief of Staff, and Attorney Mark McQueen of Baird Holm Law Firm. City Council went into executive session at 4:27 P.M.

## **COUNCILMEMBER FESTERSEN RETURNED TO THE LEGISLATIVE CHAMBERS AND IMMEDIATELY WENT INTO EXECUTIVE SESSION AT 4:31 P.M.**

Upon returning from executive session, Council President Ben Gray stated that the only item discussed in executive session was labor negotiations.

Motion by Councilmember Jerram to adjourn from executive session

Seconded by Gray

ROLL CALL:

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

Nays: None

**MOTION APPROVED 7-0**

City Council adjourned from executive session at 5:03 P.M.

## **ADJOURNMENT**

Motion by Jerram that the meeting be adjourned

Seconded by Festersen

ROLL CALL:

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

Nays: None

**Motion Passed 7-0**

**MEETING ADJOURNED AT: 5:03 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 November 21, 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 21ST DAY OF NOVEMBER, 2017.