



**CITY OF OMAHA  
37TH REGULAR COUNCIL MEETING  
DECEMBER 12, 2017**

THE CITY COUNCIL met in Regular Session on Tuesday, December 12, 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 # 1343** - Present: Palermo, Festersen, Harding, Jerram, Melton, Mr. President

Absent: Pahls

**COUNCILMEMBER PAHLS ENTERED THE LEGISLATIVE CHAMBERS AT 2:02 P.M.**

2. Council President Ben Gray led those present in the Pledge of Allegiance
3. Councilmember Pete Festersen of District No. 1 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 December 8, 2017, notice of the Pre-Council and Regular City Council Meetings, December 12, 2017 – **CCID # 1344**.

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 15 relate to the same project. Item 6 would be considered first, and Items 7 through 15 would be considered together.

Council President Ben Gray opened the Public Hearing on Items 6 through 15.

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

**PROPOSERS:** Larry Jobeun, 11440 West Center Road, Attorney for the applicant  
Sunjay Aurora, Topgolf, 8750 North Central Expressway, Dallas,  
TX  
Jim Sadler, Senior GM, 10102 Grover Street, of Westroads Mall

**OPPOSERS:**  
**FOR THE CITY:** Cassie Paben, Mayor's Office  
Bob Stubbe, Public Works Director  
Deb Ward, Visit Omaha

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

## **PUTT'N PLACE**

6. 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 – (First Reading November 21, 2017; Second Reading December 5, 2017; Third Reading, Public Hearing and Vote December 12, 2017) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

**Notice of the public hearing on December 12, 2017 was published in the Daily Record on November 21, 2017. Ordinance as approved on December 12, 2017 published in the Daily Record on December 20, 2017.**

- A. Amendment of the Whole requested by the Law Department – [see attached](#).  
B. Communication from Jim Sadler submitted by Larry Jobeun re: Top Golf – [see attached](#).

Motion by Jerram that the Amendment of the Whole for **ORDINANCE # 41348** be APPROVED

Second by Gray

ROLL CALL:

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

Nays: Pahls, Melton

**MOTION APPROVED 5-2**

Motion by Jerram that the following items be approved:

Item # 7 **ORDINANCE # 41345;** Item # 8 **ORDINANCE # 41346;**  
Item # 9 **ORDINANCE # 41347;** Item # 10 **ORDINANCE # 41349;**  
Item # 11 **RESOLUTION # 1283;** Item # 12 **RESOLUTION # 1282;**  
Item # 13 **ORDINANCE # 41344;** Item # 14 **RESOLUTION # 1285;** and,  
Item # 15 **RESOLUTION # 1284;**

Seconded by Festersen

ROLL CALL:

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

Nays: None

**MOTION APPROVED 7-0**

7. 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](#). **(PUBLIC HEARING AND VOTE TODAY)**  
**Notice of the public hearing on December 12, 2017 was published in the Daily Record on November 21, 2017. Ordinance as approved on December 12, 2017 published in the Daily Record on December 20, 2017.**
  - A. Planning Board and Planning Department recommend approval – [see attached](#).
8. 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](#). **(PUBLIC HEARING AND VOTE TODAY)**  
**Notice of the public hearing on December 12, 2017 was published in the Daily Record on November 21, 2017. Ordinance as approved on December 12, 2017 published in the Daily Record on December 20, 2017.**
  - A. Planning Board and Planning Department recommend approval – [see attached](#).
9. 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](#). **(PUBLIC HEARING AND VOTE TODAY)**  
**Notice of the public hearing on December 12, 2017 was published in the Daily Record on November 21, 2017. Ordinance as approved on December 12, 2017 published in the Daily Record on December 20, 2017.**
  - A. Planning Board and Planning Department recommend approval – [see attached](#).
10. 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 December 5, 2017; Third Reading, Public Hearing and Vote December 12, 2017) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**  
**Notice of the public hearing on December 12, 2017 was published in the Daily Record on November 21, 2017. Ordinance as approved on December 12, 2017 published in the Daily Record on December 20, 2017.**
  - A. Planning Board and Planning Department recommend approval – [see attached](#).

11. 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](#). **(PUBLIC HEARING AND VOTE TODAY)**
  - A. Planning Board and Planning Department recommend approval – [see attached](#).
12. 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](#). **(PUBLIC HEARING AND VOTE TODAY)**
  - A. Planning Board and Planning Department recommend approval – [see attached](#).
13. 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](#). **(PUBLIC HEARING AND VOTE TODAY)**  
**Notice of the public hearing on December 12, 2017 was published in the Daily Record on November 21, 2017. Ordinance as approved on December 12, 2017 published in the Daily Record on December 20, 2017.**
14. 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](#). **(PUBLIC HEARING AND VOTE TODAY)**
15. 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](#). **(PUBLIC HEARING AND VOTE TODAY)**
  - A. Planning Board and Planning Department recommend approval – [see attached](#).

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

City Clerk Elizabeth Butler stated that Items 16 through 18 relate to the same project and would be considered together.

Council President Ben Gray opened the Public Hearing on Items 16 through 18.

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

PROPOSERS: Luke Weatherly, Olsson Associates, 2111 South 67th Street, Suite #200  
Cydney Franklin, Seventy-Five North, 4383 Nicholas Street, Suite #204  
Gladys Haynes, Buffett Early Childhood Fund, 2111 South 67th Street,  
Suite #350

OPPOSERS:  
FOR THE CITY:

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

Motion by Festersen that the following items be approved:

Item # 16 **ORDINANCE # 41340**; Item # 17 **ORDINANCE # 41341**; and,

Item # 18 **RESOLUTION # 1281**;

Seconded by Gray

ROLL CALL:

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

Nays: None

**MOTION APPROVED 7-0**

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

**Notice of the public hearing on December 12, 2017 was published in the Daily Record on November 21, 2017. Ordinance as approved on December 12, 2017 published in the Daily Record on December 20, 2017.**

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

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

**Notice of the public hearing on December 12, 2017 was published in the Daily Record on November 21, 2017. Ordinance as approved on December 12, 2017 published in the Daily Record on December 20, 2017.**

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

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

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

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

City Clerk Elizabeth Butler stated that Items 19 through 20 relate to the same project and would be considered together.

Council President Ben Gray opened the Public Hearing on Items 19 through 20.

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

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

OPPOSERS:

FOR THE CITY:

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

Motion by Festersen that the following items be approved:

Item # 19 **ORDINANCE # 41334**; and, Item # 20 **ORDINANCE # 41335**;

Seconded by Harding

ROLL CALL:

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

Nays: None

**MOTION APPROVED 7-0**

19. 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](#). **(PUBLIC HEARING AND VOTE TODAY)**  
**Notice of the public hearing on December 12, 2017 was published in the Daily Record on November 21, 2017. Ordinance as approved on December 12, 2017 published in the Daily Record on December 20, 2017.**
20. 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](#). **(PUBLIC HEARING AND VOTE TODAY)**  
**Notice of the public hearing on December 12, 2017 was published in the Daily Record on November 21, 2017. Ordinance as approved on December 12, 2017 published in the Daily Record on December 20, 2017.**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
21. 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](#). **(PUBLIC HEARING AND VOTE TODAY)**

**Notice of the public hearing on December 12, 2017 was published in the Daily Record on November 21, 2017. Ordinance as approved on December 12, 2017 published in the Daily Record on December 20, 2017.**

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

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

PROPOSERS: Darin Smith, Arch Icon, 509 Walker Street, Woodbine, IA

OPPOSERS:

FOR THE CITY:

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

Motion by Jerram that **ORDINANCE # 41336** be approved

Seconded by Gray

ROLL CALL:

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

Nays: None

**MOTION APPROVED 7-0**

22. 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](#).  
**(PUBLIC HEARING AND VOTE TODAY)**  
**Notice of the public hearing on December 12, 2017 was published in the Daily Record on November 21, 2017. Ordinance as approved on December 12, 2017 published in the Daily Record on December 20, 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 Jerram that **ORDINANCE # 41337** be approved

Seconded by Gray

ROLL CALL:

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

Nays: None

**MOTION APPROVED 7-0**

23. 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](#).  
**(PUBLIC HEARING AND VOTE TODAY)**  
**Notice of the public hearing on December 12, 2017 was published in the Daily Record on November 21, 2017. Ordinance as approved on December 12, 2017 published in the Daily Record on December 20, 2017.**

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

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

PROPOSERS: Christina Narwicz, 1206 South 20th Street, owner

OPPOSERS:

FOR THE CITY:

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

Motion by Jerram that **ORDINANCE # 41338** be approved

Seconded by Harding

ROLL CALL:

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

Nays: None

**MOTION APPROVED 7-0**

24. 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](#). **(PUBLIC HEARING AND VOTE TODAY)**  
**Notice of the public hearing on December 12, 2017 was published in the Daily Record on November 21, 2017. Ordinance as approved on December 12, 2017 published in the Daily Record on December 20, 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 # 41339** be approved

Seconded by Harding

ROLL CALL:

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

Nays: None

**MOTION APPROVED 7-0**

25. 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](#). **(PUBLIC HEARING AND VOTE TODAY)**  
**Notice of the public hearing on December 12, 2017 was published in the Daily Record on November 21, 2017. Ordinance as approved on December 12, 2017 published in the Daily Record on December 20, 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 # 41342** be approved

Seconded by Gray

ROLL CALL:

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

Nays: None

**MOTION APPROVED 7-0**

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

**Notice of the public hearing on December 12, 2017 was published in the Daily Record on November 21, 2017. Ordinance as approved on December 12, 2017 published in the Daily Record on December 20, 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 # 41343** be approved

Seconded by Gray

ROLL CALL:

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

Nays: None

**MOTION APPROVED 7-0**

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## **LIQUOR**

27. Class “1” Liquor License Application – Tired Texan BBQ, LLC, dba “Tired Texan BBQ”, 4702 South 108th Street. (This is a new application for a new location.) Notice was posted on the property on 11/29/17; Notification was sent to property owners within 500 feet on 11/30/17 – CCID 1350 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

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

PROPOSERS: Jack Holland, Tired Texan BBQ, 4702 South 108th Street

Christine Holland, Tired Texan BBQ, 4702 South 108th Street

OPPOSERS:

FOR THE CITY:

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

Motion by Harding that **RESOLUTION # 1350** be approved

Seconded by Festersen

ROLL CALL:

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

Nays: None

**MOTION APPROVED 7-0**

28. Class "D" Liquor License Application – Maple 58, LLC, dba "Speedy Gas N Shop", 503 North 33rd Street. (This is a new application for a new location.) Notice was posted on the property on 11/29/17; Notification was sent to property owners within 500 feet on 11/30/17 – CCID 1351 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

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

PROPOSERS: Mohammed Halhoui, Speedy Gas N Shop, 503 North 33rd Street

OPPOSERS:

FOR THE CITY:

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

- A. Communication from Mohammed Halhoui, Shareholder/Manager of Maple 58, LLC, requesting to amend their application for a Class "D" Liquor License to a Class "B" License – [see attached](#).

Motion by Jerram to approve the Amendment to change the application from a Class "D" Liquor License to a Class "B" Liquor License, with the stipulation that there be no sales of single containers less than 32 ounces of beer

Seconded by Gray

ROLL CALL:

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

Nays: None

**MOTION APPROVED 7-0**

Motion by Jerram that **RESOLUTION # 1351** be APPROVED AS AMENDED with the stipulation that there be no sales of single containers less than 32 ounces of beer

Seconded by Gray

ROLL CALL:

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

Nays: None

**MOTION APPROVED AS AMENDED 7-0**

29. Happy Hollow Club, Inc., dba "Happy Hollow Club", 1701 South 105th Street, requests permission to appoint Kelly A. Smith manager of their present Class "C" Liquor License location – CCID 1352 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

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

PROPOSERS: Kelly Smith, Happy Hollow Club, 1701 South 105th Street

OPPOSERS:

FOR THE CITY:

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

**CCID # 1352** - Motion by Harding that the request be approved

Seconded by Melton

ROLL CALL:

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

**MOTION APPROVED 7-0**

30. Euro-Nebraska, Ltd, dba "The Boiler Room Restaurant", 1110 Jones Street and Old Market Company, Inc., dba "La Buvette", 511 South 11th Street, requests permission to appoint Francis Mark Mercer manager of their present Class "C" Liquor License locations – CCID 1353 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

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

PROPOSERS: Francis Mark Mercer, manager, The Boiler Room Restaurant,  
1110 Jones Street and La Buvette, 511 South 11th Street

OPPOSERS:  
FOR THE CITY:

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

**CCID # 1353** - Motion by Jerram that the request be approved

Seconded by Festersen

ROLL CALL:

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

Nays: None

**MOTION APPROVED 7-0**

31. Wadsworth Old Chicago, Inc., dba "Old Chicago", 1109-1111 Harney Street, requests permission to appoint Sean R. Blizzard manager of their present Class "I" Liquor License location – CCID 1354 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

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

PROPOSERS: Sean R. Blizzard, 15416 Davidson Street, Bennington, NE

OPPOSERS:  
FOR THE CITY:

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

**CCID # 1354** - Motion by Jerram that the request be approved

Seconded by Festersen

ROLL CALL:

Yeas: Pahls, Palermo, Festersen, Harding, Jerram, Melton, 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 32 through 37 were held on December 5, 2017. (Notice of the public hearings was published in the Daily Record on November 24, 2017; Ordinances as approved will be published in the Daily Record on December 20, 2017.)

### **CONSENT AGENDA – ORDINANCES**

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

Item # 32 **ORDINANCE # 41331**;                      Item # 33 **ORDINANCE # 41332**;  
Item # 34 **ORDINANCE # 41351**;                      Item # 35 **ORDINANCE # 41330**;  
Item # 36 **ORDINANCE # 41333**; and,              Item # 37 **ORDINANCE # 41350**;

Seconded by Festersen

ROLL CALL:

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

Nays: None

**MOTION APPROVED 7-0**

32. 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](#).
33. 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 Church of the Sacred Heart of Omaha – (First Reading November 21, 2017; Second Reading and Public Hearing December 5, 2017; Third Reading December 12, 2017) – [see attached](#).
34. 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](#).
35. 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](#).

36. 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](#).
37. 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; 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](#).

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Council President Gray announced that the public hearings on Agenda Items 38 through 50 were today. He asked that anyone that wished to address the City Council regarding these items please come to the microphone, indicate the Agenda Item Number being addressed, and to state their name, address, who they represent, and if they were speaking as a proponent or opponent.

### **CONSENT AGENDA – RESOLUTIONS**

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

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

Item # 38 <b>RESOLUTION # 1355;</b>	Item # 39 <b>RESOLUTION # 1356;</b>
Item # 40 <b>RESOLUTION # 1357;</b>	Item # 41 <b>RESOLUTION # 1358;</b>
Item # 42 <b>RESOLUTION # 1359;</b>	Item # 43 <b>RESOLUTION # 1360;</b>
Item # 44 <b>RESOLUTION # 1361;</b>	Item # 45 <b>RESOLUTION # 1365;</b>

Item # 46 **RESOLUTION # 1364**;  
Item # 48 **RESOLUTION # 1367**;  
Item # 50 **RESOLUTION # 1369**;

Item # 47 **RESOLUTION # 1366**;  
Item # 49 **RESOLUTION # 1368**; and,

Seconded by Gray

ROLL CALL:

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

Nays: None

**MOTION APPROVED 7-0**

38. Res. that, as recommended by the Mayor, the Purchasing Agent is authorized to issue a Purchase Order to Aspen Equipment in the total amount of \$38,244.00 for one (1) mounted service body and crane to be installed on a 2017 Ford F550 dual-rear wheel chassis truck to be furnished by the City and utilized by the Environmental Quality Control Division; and that, the Finance Department is authorized to pay the cost of this equipment from the Sewer Revenue Fund 21121, Interceptor Maintenance Organization 116717, year 2017 expenditure – CCID 1355 – [see attached](#).
39. Res. that, as recommended by the Mayor, the Professional Services Agreement with Midwest Right of Way Services to provide professional services on MAPA - 5127 (1), C.N 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 \$170,300.00, to be paid from the 2014 Transportation Bond Fund 13184, Transportation Bonds Organization 117117, year 2017 expenditures – CCID 1356 – [see attached](#).
40. Res. that, the Agreement between the City of Omaha and Arvig Enterprises, Inc., as recommended by the Mayor, providing for the survey and construction of communication facilities subsequent to acquisition of all necessary permits and payment of all applicable fees, is hereby approved – CCID 1357 – [see attached](#).
41. Res. that, as recommended by the Mayor, the Professional Services Agreement with HDR Engineering, Inc. to provide professional services on OPW 53301, being the Sanitary Sewer Design & Technical Criteria Manual Project, is hereby approved; and that, the Finance Department is authorized to pay a fee not to exceed \$99,205.00, to be paid from the Street and Highway Allocation Fund 12131, Engineering Organization 116132, year 2017 expenditures – CCID 1358 – [see attached](#).
42. Res. that, as recommended by the Mayor, the Supplemental Agreement No. 1 with the Nebraska Department of Transportation for the Harney Street Corridor Feasibility Study Project, known as MAPA-28(110), State Control No. 22537, and OPW 52254, with the City's local share in the amount of \$46,230.99, to be paid from the 2010 Transportation 13183, Transportation Bonds 117117, year 2017 expenditure, is hereby approved; and that, the City Council hereby authorizes the Mayor and City Clerk to sign the Agreement on behalf of the City of Omaha – CCID 1359 – [see attached](#).

43. Res. that, the contract change order from Melvin Sudbeck Homes Inc. increasing the contract amount by \$193,000.00 is hereby approved and the Finance Department is authorized to pay the cost for five (5) newly constructed houses in the amount of \$966,034.00. Funds shall be payable from FY 2014 HOME Investment Partnerships Program Fund No. 12179, Organization No. 128071; 2014 Nebraska Affordable Housing Trust Fund No. 12141, Organization No. 128101; and 2016 HOME Investment Partnerships Program, Fund No. 12179, Organization No. 128071 in the amount of \$773,034.00 and 2017 HOME Investment Partnerships Program, Fund No. 12179, Organization No. 128071 in the amount of \$193,000.00 – CCID 1360 – [see attached](#).
44. Res. that, the Agreement, as recommended by the Mayor, between the City of Omaha and the African American Empowerment Network, Inc., 2221 North 24th Street, Omaha, Nebraska 68110, in the amount of \$500,000.00, for partial funding of its Step Up Omaha Job Training and Work Experience Program for the period from January 1, 2017, through December 31, 2017, is hereby approved. Funds shall be paid from the FY 2017 Community Development Block Grant Program, Fund No. 12186, Organization No. 128072 and Community Services General Fund Grant, Fund No. 11111, Organization No. 126064, Account No. 46111 – CCID 1361 – [see attached](#).
45. Res. that, as recommended by the Mayor, the proposal of Demers Ambulance in the amount of \$1,031,611.00 for the purchase of four (4) Medic Units for the Omaha Fire Department is hereby approved, and the Finance Department is authorized to pay the amount of \$1,031,611.00 to be paid from the CIP Fund 13299, Organization 114512, Project 1862, Account 47033 – CCID 1365 – [see attached](#).
46. Res. that, as recommended by the Mayor, the purchase based upon the quote from Motorola Solutions, Inc. in the amount of \$22,271.00 for 5 APX6500 mobile radios and companion equipment 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 mobile radios, is hereby approved, and that, the Finance Department of the City of Omaha is authorized to pay \$22,271.00 for the mobile radios from the Omaha Police Department, Year 2017, General Fund 11111, Organization 113141 Fleet and Facilities, Account 44117 Radio Communication Equipment – CCID 1364 – [see attached](#).
47. Res. that, as recommended by the Mayor, the purchase from Meridian Medical Technologies in the amount of \$58,518.75 for the purchase of seventy-five (75) packs of Cyanokits to be used by the Omaha Metropolitan Medical Response System (OMMRS) and its partner agencies is hereby approved. The Finance Department of the City of Omaha is authorized to pay Meridian Medical Technologies in the amount of \$58,518.75 for the purchase of seventy-five (75) packs of Cyanokits, budgeted from and funded by the Nebraska Emergency Management Agency (NEMA) FY 2015 State Homeland Security Grant Program, Award #EMW-2015-SS-00079-S01, Fund 12151, Organization 130762 – CCID 1366 – [see attached](#).

48. Res. that, as recommended by the Mayor, the agreement between the City of Omaha and the University of Nebraska Medical Center (UNMC) in the amount of \$10,000.00 to implement the Dusk to Dawn (D2D) hospital-based youth violence and gang intervention program from January 1, 2018 to December 31, 2018, and funding of such project, is hereby approved. The Finance Director is authorized to provide payment of \$10,000.00 from 2018 Community Services, Keno/Lottery Proceeds 12118, Organization 126071; and in accordance with the contract terms – CCID 1367 – [see attached](#).
49. Res. that the appointment by Mayor Stothert of Cecelia Creighton as a member of the Library Board to serve a term commencing upon confirmation by the City Council and expiring on June 30, 2018, be and hereby is confirmed and approved – CCID 1368 – [see attached](#).
50. Chairman of the Board of Equalization reports approval of the Plans of Assessment with adjustments and corrections made at their regular meeting held December 5, 2017 – CCID 1369 – [see attached](#).

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## **ORDINANCES ON SECOND READING**

51. ORD. 41359 – An ordinance approving a bid and multiple Purchase Orders from Allied Oil & Tire for the City of Omaha: Oils, Lubricants and Fluids Project bid submitted through Douglas County Purchasing Department on October 18, 2017, with an annual estimated cost of \$129,373.75 for a (1) one year price agreement with the option to extend for an additional (2) two, (1) one year extensions upon agreement by both parties; involving the payment of money from appropriations of more than one year in accordance with Section 5.17 of the Home Rule Charter of 1956, as amended; to provide for payments from a specific account – (First Reading December 5, 2017; Second Reading and Public Hearing December 12, 2017; Third Reading December 19, 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.

52. ORD. 41360 – An ordinance to accept the bids from Alexander Lawn and Landscape, All Seasons Turf & Tree, LLC., Nebraska's Best Lawn & Landscape, LLC., and Superior Green for grounds maintenance mowing of City rights-of-way based on bids received on October 4, 2017. Contractors were able to submit bids for individual areas and each area was considered separately. Street Maintenance is recommending award be made as detailed in the memo dated October 30, 2017. This price agreement will be in effect for a period of two years with the option of two (2), one (1) year extensions for a maximum of four (4) years if the City extends these contracts; providing for the payments from appropriations of more than one year in accordance with Section 5.17 of the Home Rule Charter of 1956 as amended – (First Reading December 5, 2017; Second Reading and Public Hearing December 12, 2017; Third Reading December 19, 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.



53. ORD. 41361 – An ordinance authorizing the Purchasing Agent to issue purchase orders to Cross Dillon Tire on a one (1) year price agreement for tire repairs to be utilized by the Fleet Maintenance Division to be effective upon passage of this Ordinance and is extendable for two (2) additional one (1) year extensions 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, as amended; to provide for payments from a specific account – (First Reading December 5, 2017; Second Reading and Public Hearing December 12, 2017; Third Reading December 19, 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.

54. ORD. 41362 – An ordinance to transfer a Permanent Easement in land to the Metropolitan Utilities District of Omaha (MUD) for purposes of erecting an above-ground gas regulator station to replace a vaulted gas regulator station that is now in conflict with OPW 53114 (SP 93-05) being the 114th Street, Burke to Pacific Project; to authorize the Mayor to execute the Permanent Easement – (First Reading December 5, 2017; Second Reading and Public Hearing December 12, 2017; Third Reading December 19, 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.

55. ORD. 41363 – An ordinance vacating the north/south alley right-of-way between 17th and 18th Street south of “M” Street abutted by Lot 2, Block 6, McGavock & O’Keefes Subdivision and Lot 2, Block 0, Hrabik 3rd Addition Subdivision; providing for the reversion or transfer of the same – (First Reading December 5, 2017; Second Reading and Public Hearing December 12, 2017; Third Reading December 19, 2017) – [see attached](#). **(PUBLIC HEARING 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.

56. ORD. 41358 – 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 Habitat for Humanity of Omaha, Inc., 1701 North 24th Street, Omaha, NE 68110, to convey the property described in the agreement, located at 2424 South 21st Street, in consideration of the sum of \$1.00; there are no expenses associated with the transfer of the property to Habitat for Humanity of Omaha, Inc – (First Reading December 5, 2017; Second Reading and Public Hearing December 12, 2017; Third Reading December 19, 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.

57. SPECIAL ORD. 10221 – A special ordinance levying a special assessment for fees 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: 2017-02 – (First Reading December 5, 2017; Second Reading and Public Hearing December 12, 2017; Third Reading December 19, 2017) – [see attached](#). **(PUBLIC HEARING TODAY)**

A. Communication submitted by Vitaly Ekwen re: appeal of their portion of a special assessment levy for certain lots in the City of Omaha, Group No. 2017-02 – [see attached](#).

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

PROPOSERS:

OPPOSERS: David Selby, 8742 Frederick Street, Attorney for owner of 3525 North 28th Avenue  
Vitaly Ekwen, property owner of 3525 North 28th Avenue

FOR THE CITY: Jennifer Taylor, Assistant City Attorney

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

58. ORD. 41355 – An ordinance to accept the Agreement between the City of Omaha and Rolling River, LLC to terminate all existing agreements and to enter into a new Agreement to specify the terms and conditions of future operation of the Rolling River, LLC riverboat excursion operation at Miller Landing Park, and the repayment of funds due and owing under those previous agreements relating to the construction and/or renovation of the Concession Site. The term of this Agreement shall be five (5) years, ending on December 31, 2022, with the option of a one-time five (5) year extension – (First Reading December 5, 2017; Second Reading and Public Hearing December 12, 2017; Third Reading December 19, 2017) – [see attached](#). **(PUBLIC HEARING TODAY)**

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

PROPOSERS: Larry Rischling, Rolling River, LLC, 151 Freedom Road

OPPOSERS:

FOR THE CITY:

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

59. ORD. 41356 – An ordinance to approve a lease-purchase agreement with Motorola Solutions to acquire 116 APX 6500 mobile radios, based on state contract pricing, for a ten year term at a 3.79% lease for the Omaha Fire Department at a final cost of \$706,279.30; an application of a credit of \$59,000.00 will be applied and the remaining amount of \$647,279.30 will be paid out of OFD budget obligations, beginning one year after the contract execution at a cost of \$10,202.02 in January 2019 and \$70,627.93 from January 2020 to January 2028 – (First Reading December 5, 2017; Second Reading and Public Hearing December 12, 2017; Third Reading December 19, 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.

60. ORD. 41357 – An ordinance to approve open orders, based upon lowest and best bid within specifications, in amounts totaling \$482,354.64 in the first year between the City of Omaha and various vendors, for the purchase of medical supplies used by the Omaha Fire Department, with the possibility of expending funds from more than one budget year, in accordance with Section 5.17 of the Home Rule Charter of the City of Omaha 1956 as amended; to provide for payment to Bound Tree Medical LLC, First Choice Medical Supply, Life-Assist Inc., McKesson Medical-Surgical Minnesota Supply Inc., Midwest Medical Supply Company LLC., Scool Health Corporation, Shared Service Systems, Zoll Medical Corporation, and Arrow International for open orders and price agreements – (First Reading December 5, 2017; Second Reading and Public Hearing December 12, 2017; Third Reading December 19, 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**

(Items 61 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 DECEMBER 26, 2017 AND JANUARY 2, 2018 DUE TO THE CHRISTMAS AND NEW YEAR'S HOLIDAY)

### **ANDREW'S CORNER**

61. Res. that, the Preliminary Plat entitled Andrew's Corner, located northwest of 34th and Burt Streets, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized. The applicants are Andrew and Celeste Gustafson – Inside City Limits – CCID 1304 – [see attached](#). **(LAID OVER TO DECEMBER 19, 2017 TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**

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

62. Res. that, the Final Plat transmitted herewith entitled Andrew's Corner, located northwest of 34th and Burt Streets, is hereby approved, and concurrently a portion of the existing plat entitled Lowe's 2nd Addition, and described on said replat, is hereby vacated. The applicants are Andrew and Celeste Gustafson – Inside City Limits – CCID 1305 – [see attached](#). **(LAID OVER TO DECEMBER 19, 2017 TO COINCIDE WITH ITEM 61)**

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

### **GREATER OMAHA PACKING**

63. ORD. 41352 – An ordinance to rezone the property located southwest of 30th and "L" Streets from HI-Heavy Industrial District and CC-Community Commercial District to HI-

Heavy Industrial District – (First Reading December 5, 2017; Second Reading December 12, 2017; **Third Reading, Public Hearing and Vote December 19, 2017**) – [see attached](#).

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

64. Res. that the Special Use Permit application submitted by Greater Omaha Packing Company for a Major Amendment to a Special Use Permit to allow *Meat Packing and related industries* in a HI-Heavy Industrial District, located southwest of 30th and “L” Streets, Omaha, Nebraska, is hereby approved and the Permits and Inspection Division is directed to issue the necessary, provided the conditions and all applicable local or state statutes, ordinances or regulations are complied with. The proposed Special Use Permit has been reviewed and evaluated pursuant to, and meets each of, the criteria set forth in Section 55-885 of the Omaha Municipal Code – CCID 1303 – [see attached](#). **(LAID OVER TO DECEMBER 19, 2017 TO COINCIDE WITH ITEM 63 AND TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**

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

#### **ELKHORN RIVER PRESERVE**

65. ORD. 41366 – An ordinance to rezone the property located southwest of 222nd Street and West Maple Road from CC-Community Commercial District to CC-Community Commercial District (property is also located within the FF-Flood Fringe Overlay District) – (First Reading December 12, 2017; **Second Reading December 19, 2017**; Third Reading, Public Hearing and Vote January 9, 2018) – [see attached](#).

66. ORD. 41367 – An ordinance to rezone the property located southwest of 222nd Street and West Maple Road from CC-Community Commercial District to AG-Agriculture District (properties are also located within the FW-Floodway and FF-Flood Fringe Overlay Districts) – (First Reading December 12, 2017; **Second Reading December 19, 2017**; Third Reading, Public Hearing and Vote January 9, 2018) – [see attached](#).

67. ORD. 41368 – An ordinance to amend the boundaries of the MCC-Major Commercial Corridor Overlay District, to incorporate into that district the property located on Lot 1 of the Elkhorn River Preserve – (First Reading December 12, 2017; **Second Reading December 19, 2017**; Third Reading, Public Hearing and Vote January 9, 2018) – [see attached](#).

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

68. Res. that, the Final Plat entitled Elkhorn River Preserve, located southwest of 222nd Street and West Maple Road, is hereby approved and accepted. The applicant is GP Industries – Inside City Limits – CCID 1347 – [see attached](#). **(LAID OVER TO JANUARY 9, 2018 TO COINCIDE WITH ITEM 65 AND TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**

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

69. Res. that, the Subdivision Agreement between the City of Omaha and GP Industries, as recommended by the Mayor, is hereby approved. The Subdivision is to be known as Elkhorn River Preserve (Lot 1 and Outlots A-B) and is located southwest of 222nd Street and West Maple Road – CCID 1348 – [see attached](#). **(LAID OVER TO JANUARY 9, 2018 TO COINCIDE WITH ITEM 65)**

### **ARBOR WOODS**

70. ORD. 41369 – 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 open space to low-density residential for the property generally described as 9300 Arbor Street – (First Reading December 12, 2017; **Second Reading December 19, 2017**; Third Reading, Public Hearing and Vote January 9, 2018) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
71. Res. that, the Preliminary Plat entitled Arbor Woods, located at 9300 Arbor Street, with a request for waivers of Section 53-8(4)(d), Lot Frontage and Section 53-8(2)(b), Cul-de-sac length, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized. The applicant is NP Dodge Building Company – Inside City Limits – CCID 1349 – [see attached](#). **(LAID OVER TO JANUARY 9, 2018 TO COINCIDE WITH ITEM 70 AND TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**
- A. Planning Board and Planning Department recommend approval with a request for waivers of Section 53-8(2)(b) Cul-de-sacs and Section 53-8(4)(d) Lot frontage – [see attached](#).
- B. Planning Board and Planning Department recommend denial of a waiver of Section 53-9(9) regarding sidewalks – [see attached](#).

### **SAGEWOOD VALLEY**

72. ORD. 41364 – An ordinance to rezone property located southwest of 180th and Fort Streets from AG-Agricultural District to R4-Single Family Residential District (High Density) – (First Reading December 12, 2017; **Second Reading December 19, 2017**; Third Reading, Public Hearing and Vote January 9, 2018) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
73. Res. that, the Final Plat entitled Sagewood Valley (Lots 1-129 and Outlots A-H), located southwest of 180th and Fort Streets, is hereby approved and accepted. The applicant is Celebrity Homes – Outside City Limits – CCID 1345 – [see attached](#). **(LAID OVER TO JANUARY 9, 2018 TO COINCIDE WITH ITEM 72)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
74. Res. that, the Subdivision Agreement among the City of Omaha, Celebrity Homes, Inc., the Sagewood Valley Homeowners Association, and Sanitary and Improvement District (S.&I.D.) 582 of Douglas County, Nebraska, as recommended by the Mayor, is hereby approved. The Subdivision is to be known as Sagewood Valley (Lots 1-129 and Outlots

A-H) and is located southwest of 180th and Fort Streets – CCID 1346 – [see attached](#).  
**(LAID OVER TO JANUARY 9, 2018 TO COINCIDE WITH ITEM 72)**

## **RESOLUTIONS**

75. Res. that, the Jukes Ale Works and Brew Pub Tax Increment Financing (TIF) Redevelopment Project Plan for a redevelopment site located at 20560 Elkhorn Drive which proposes to construct a new building, following demolition of the existing building and site preparation, recommending the City's participation through the allocation of TIF in an amount up to \$259,850.00 to offset TIF eligible expenses for acquisition, demolition, site work, architectural and engineering fees, 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 1362 – [see attached](#). **(LAID OVER TO THE JANUARY 9, 2018 CITY COUNCIL MEETING TO ADVERTISE FOR PUBLIC HEARING)**
76. Res. that, the Dundee Professional Building Tax Increment Financing (TIF) Redevelopment Project Plan for a redevelopment site located at 119 North 51st Street which proposes the comprehensive rehabilitation of a four story 14,960 square foot building, recommending the City's participation through the allocation of TIF in an amount up to \$275,000.00 to offset TIF eligible expenses for acquisition, demolition, building rehabilitation, architectural and engineering fees, 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 1363 – [see attached](#). **(LAID OVER TO THE JANUARY 9, 2018 CITY COUNCIL MEETING TO ADVERTISE FOR PUBLIC HEARING)**

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

77. ORD. 41354 – An ordinance to approve a Major Amendment to a Mixed Use District Development Agreement for Ridgeview, to allow for an existing Broadcast tower to be increased in height from 105 feet to 115 feet, located southwest of 180th Street and West Center Road, between the City of Omaha and T-Mobile, providing site development standards – (First Reading December 5, 2017; Second Reading December 12, 2017; **Third Reading, Public Hearing and Vote December 19, 2017**) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
78. ORD. 41353 – An ordinance to rezone the properties located at 1244, 1244 ½, 1246 and 1248 South 15th Street from GI-General Industrial District to R5-Urban Family Residential District (First Reading December 5, 2017; Second Reading December 12, 2017; **Third Reading, Public Hearing and Vote December 19, 2017**) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).

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

79. ORD. 41365 – An ordinance to approve a Major Amendment to the Mixed Use District Development Agreement for West Dodge Hills, located southwest of 180th Street and West Dodge Road, between the City of Omaha and Verizon Wireless, providing site development standards – (First Reading December 12, 2017; **Second Reading December 19, 2017**; Third Reading, Public Hearing and Vote January 9, 2018) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
80. ORD. 41371 - An ordinance, to create Street Improvement District No. 6883, in the City of Omaha, for the purpose of improving Woolworth Avenue from South 80th Street to Ridgewood Avenue by grading, curbing, addressing storm sewerage and paving in Portland cement concrete; to fix and define the boundaries of said district; to provide for the determination and assessment of damages, if any, occasioned by reason of change of grade; to authorize the Public Works Department, barring protest to the contrary in accordance with OMC 26-65, to complete the associated improvement project – (First Reading December 12, 2017; **Second Reading December 19, 2017**; Third Reading, Public Hearing and Vote January 9, 2018) – [see attached](#).

## **ORDINANCES ON FIRST READING**

81. ORD. 41370 – 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 a Real Estate Purchase Agreement with George Gumise, 2732 Fontenelle Blvd, Omaha, NE 68104, to convey the property described in the agreement, located at 4346 Lake Street, in consideration of the sum of \$1.00; there are no expenses associated with the transfer of the property to George Gumise – (First Reading December 12, 2017; **Second Reading and Public Hearing December 19, 2017**; Third Reading January 9, 2018) – [see attached](#).
82. ORD. 41372 – An ordinance to approve an agreement between the Omaha Convention and Visitors Bureau and Simpleview, Inc. for three (3) years, January 1, 2018 through December 31, 2020, with the option to extend for an additional three (3) years, for tourism specific content management, sales solution, and hosting with an ongoing agreement with the Omaha Convention and Visitors Bureau to host the Visit Omaha's website in an amount not to exceed \$750,000.00 for the three-year period; to authorize the payments specified therein; and, to provide an effective date – (First Reading December 12, 2017; **Second Reading and Public Hearing December 19, 2017**; Third Reading January 9, 2018) – [see attached](#).
83. ORD. 41373 – An ordinance to approve the acceptance of and authorize the disbursement from the FY 2017 State Homeland Security Grant (SHSG) Award #EMW-2017-SS-00020-S01, and budget in the amount of \$443,950.00 from the Nebraska Emergency Management Agency (NEMA), during the award period of September 1, 2017 through June 1, 2020, to provide first responder and emergency management agencies in Douglas, Sarpy, and Washington Counties with enhanced capabilities to prevent, protect against, mitigate, respond to, and recover from manmade threats and natural disasters; to authorize payment from such grant funding and involving appropriations of more than one year in conformity with Section 5.17 of the Home Rule

Charter – (First Reading December 12, 2017; **Second Reading and Public Hearing December 19, 2017**; Third Reading January 9, 2018) – [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 Gray

ROLL CALL:

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

Nays:

Motion Passed 7-0

**MEETING ADJOURNED AT: 3:50 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 December 12, 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 14TH DAY OF DECEMBER, 2017.