

042ND REGULAR OMAHA CITY COUNCIL MEETING

DECEMBER 22, 2015

THE CITY COUNCIL met in Regular Session on Tuesday, December 22, 2015 at 2:00 o'clock P.M. in the Legislative Chambers, Omaha/Douglas Civic Center, Omaha, Nebraska and was called to Order by Council President Ben Gray.

ROLL CALL

1. City Clerk calls the roll.

CCID # 1592 – Present: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

2. Pledge of Allegiance.

3. Invocation by Councilmember Rich Pahls of District No. 5.

CERTIFICATION OF PUBLICATION - NOTIFICATION OF OPEN MEETING ACT

4. City Clerk certifies publication in Daily Record, the Official Newspaper of the City of Omaha on December 18, 2015, notice re: Pre-Council and Regular City Council Meetings, December 22, 2015.

CCID # 1593 – From Chair on File

A current copy of the Open Meeting Act is posted in a white binder on the east wall of the Legislative Chambers.

WHENEVER ANY PERSON HAS BEEN INVITED TO SPEAK, OR HAS BEEN GRANTED THE OPPORTUNITY OF SPEAKING BEFORE THE COUNCIL DURING A HEARING, EACH PERSON WILL BE REQUESTED TO BE BRIEF, AND TO LIMIT HIS OR HER PRESENTATION TO TEN MINUTES. WHEN MORE THAN ONE PERSON WISHES TO ADDRESS THE COUNCIL ON A GIVEN QUESTION, THE PROPONENTS WILL BE GIVEN THE OPPORTUNITY OF FIRST ADDRESSING THE COUNCIL. THE OPPONENTS OF THE QUESTION WILL BE GIVEN THE OPPORTUNITY TO SPEAK AFTER THE PROPONENTS' PRESENTATION. THE PROPONENTS WILL BE GIVEN A BRIEF PERIOD FOR REBUTTAL OF ANY NEW MATERIAL INTRODUCED DURING THE OPPONENT'S PRESENTATION, AFTER WHICH THE PUBLIC HEARING WILL BE CONCLUDED. IT IS CITY COUNCIL PROCEDURE THAT EACH SIDE RECEIVES TWENTY MINUTES FOR THEIR PRESENTATION. COUNCILMEMBERS WILL ASK QUESTIONS AT THE CONCLUSION OF THE PUBLIC HEARING.

ZONING ORDINANCES ON FINAL READING and Planning Board Attachments

5. Ord. to rezone the property located Northwest of 11th and Mason Streets from HI-Heavy Industrial District to CBD-Central Business District (property is also located within an existing ACI-1 (PL)-Area of Civic Importance Overlay District). ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 1542 – December 8 and 15 Meetings)
Notice of public hearing on December 22, 2015 published in the Daily Record on December 11, 2015. Ordinance passed on December 22, 2015 published in the Daily Record on December 30, 2015.

CCID # 1542 – Motion by Melton that the Ordinance be passed
Seconded by Festersen

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

ORDINANCE # 40585 - PASSED 7-0

- (a) Planning Board and Planning Department recommend approval of a request to rezone the property located Northwest of 11th and Mason Streets from HI to CBD (property is also located within an existing ACI-1(PL)-Area of Civic Importance Overlay District) – [see attached](#).

(See Doc. # 1542 – December 8 Meeting)

1542 – From Chair on File

6. Ord. to rezone the property located at 1624 Cuming Street from DS-Downtown Service District to CBD-Central Business District (property is also located within an existing ACI-1 (PL)-Areas of Civic Importance Overlay District). ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 1543 – December 8 and 15 Meetings)
Notice of public hearing on December 22, 2015 published in the Daily Record on December 11, 2015. Ordinance passed on December 22, 2015 published in the Daily Record on December 30, 2015.

CCID # 1543 – Motion by Jerram that the Ordinance be passed
Seconded by Festersen

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

ORDINANCE # 40586 - PASSED 7-0

- (a) Planning Board and Planning Department recommend approval of a request to rezone the property located at 1624 Cuming Street from DS to CBD (property is also located within an existing ACI-1(PL)-Areas of Civic Importance Overlay District) – [see attached](#). (See Doc. # 1543 – December 8 Meeting)

1543 – From Chair on File

- 7. Ord. to rezone property located at 6315 Center Street from GO-General Office District to CC-Community Commercial District. ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 1544 – December 8 and 15 Meetings)
Notice of public hearing on December 22, 2015 published in the Daily Record on December 11, 2015. Ordinance passed on December 22, 2015 published in the Daily Record on December 30, 2015.

CCID # 1544 – Motion by Jerram that the Ordinance be passed

Seconded by Gray

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

ORDINANCE # 40587 - PASSED 7-0

- 8. Ord. to amend the boundaries of the MCC-Major Commercial Corridor Overlay District, to incorporate into that district the property located at 6315 Center Street; and to provide for an effective date – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 1545 – December 8 and 15 Meetings)
Notice of public hearing on December 22, 2015 published in the Daily Record on December 11, 2015. Ordinance passed on December 22, 2015 published in the Daily Record on December 30, 2015.

CCID # 1545 – Motion by Jerram that the Ordinance be passed

Seconded by Gray

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

ORDINANCE # 40588 - PASSED 7-0

- (a) Planning Board and Planning Department recommend approval of a request to rezone property located at 6315 Center Street from GO to CC with approval of an MCC Overlay District – [see attached](#). (See Doc. # 1545 – December 8 Meeting)

1545 – From Chair on File

RESOLUTIONS RE: PRELIMINARY PLATS, PLATS AND SUBDIVISION AGREEMENTS

9. Res. that the preliminary plat entitled PEPPERWOOD VILLAGE REPLAT 2, located at 520 North 152nd Avenue Circle, along with the attached conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized – Inside City – over from 12/8/15 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 1515 – December 8 Meeting)

Motion by Melton that the Resolution be adopted
Seconded by Festersen
ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President
RESOLUTION # 1515 – ADOPTED 7-0

- (a) Planning Board and Planning Department recommend approval of the Preliminary Plat of PEPPERWOOD VILLAGE REPLAT 2, located at 520 North 152nd Avenue Circle – Inside City – over from 12/8/15 – [see attached](#).
(See Doc. # 1515 – December 8 Meeting)

1515 – From Chair on File

10. Res. that the replat transmitted herewith entitled PEPPERWOOD VILLAGE REPLAT 2, located at 520 North 152nd Avenue Circle, is hereby approved, and concurrently a portion of the existing plat entitled Pepperwood Village, and described on said replat, is hereby vacated – Inside City – over from 12/8/15 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 1516 – December 8 Meeting)

Motion by Melton that the Resolution be adopted
Seconded by Festersen
ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President
RESOLUTION # 1516 – ADOPTED 7-0

- (a) Planning Board and Planning Department recommend approval of the Final Plat of PEPPERWOOD VILLAGE REPLAT 2, located at 520 North 152nd Avenue Circle – Inside City – over from 12/8/15 – [see attached](#).
(See Doc. # 1516 – December 8 Meeting)

1516 – From Chair on File

- 11. Res. that the preliminary plat entitled GRANDVIEW, located Northwest of 204th and “F” Streets, along with the attached conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized – Outside City – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

Jim Boucher, 10250 Regency Circle, appeared and spoke.

Motion by Thompson that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

RESOLUTION # 1645 – ADOPTED 7-0

- (a) Planning Board and Planning Department recommend approval of the Preliminary Plat of GRANDVIEW, located Northwest of 204th and “F” Streets – Outside City – [see attached](#).

1645 – From Chair on File

“PURSUANT TO CITY COUNCIL RULE VII H DUE TO NO MEETINGS BEING HELD DECEMBER 29, 2015, JANUARY 5, 2016, AND JANUARY 19, 2016 AGENDA ITEM NO. 12 SHALL BE LAID OVER FIVE WEEKS TO JANUARY 26, 2016 FOR PUBLICATION AND PUBLIC HEARING”

- 12. Res. that the replat transmitted herewith entitled AMERICAN NATIONAL BANK SADDLE CREEK, located at 520 and 600 South Saddle Creek Road, is hereby approved, and concurrently a portion of the existing plats entitled Metro One Addition and Miljean 2nd Addition, and described on said replat, are hereby vacated – Inside City – [see attached](#).

Notice of public hearing on January 26, 2016 published in the Daily Record on December 25, 2016.

CCID # 1635 – Over five weeks to January 26, 2016 for publication and public hearing pursuant to City Council Rule VII H.

- (a) Planning Board and Planning Department recommend approval of the Final Plat of AMERICAN NATIONAL BANK SADDLE CREEK, located at 520 and 600 South Saddle Creek Road – Inside City – [see attached](#).

1635 – Over to 1/26/16

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“PURSUANT TO CITY COUNCIL RULE VII H DUE TO NO MEETINGS BEING HELD DECEMBER 29, 2015, JANUARY 5, 2016, AND JANUARY 19, 2016 AGENDA ITEM NO. 13 SHALL BE LAID OVER FIVE WEEKS TO JANUARY 26, 2016”

13. Res. that, the Subdivision Agreement between the City of Omaha and American National Bank, a National Banking association, as recommended by the Mayor, providing for the Watershed Management fees, is hereby approved. The Subdivision is to be known as American National Bank Saddle Creek (Lot 1 and Outlots A-C) and is located at 520 and 600 South Saddle Creek Road – [see attached](#).

CCID # 1636 – Over five weeks to January 26, 2016 pursuant to City Council Rule VII H.

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“PURSUANT TO CITY COUNCIL RULE VII H DUE TO NO MEETINGS BEING HELD DECEMBER 29, 2015 AND JANUARY 5, 2016 AGENDA ITEM NOS. 14 THROUGH 15 SHALL BE LAID OVER THREE WEEKS TO JANUARY 12, 2016 FOR PUBLICATION AND PUBLIC HEARING”

14. Res. that the preliminary plat entitled BEDFORD PLACE REPLAT 2, located Northwest of 33rd and Emmet Streets, along with the attached conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized – Inside City – [see attached](#).

Notice of public hearing on January 12, 2016 published in the Daily Record on December 25, 2016.

CCID # 1640 – Over three weeks to January 12, 2016 for publication and public hearing pursuant to City Council Rule VII H.

- (a) Planning Board and Planning Department recommend approval of the Preliminary Plat of BEDFORD PLACE REPLAT 2, located Northwest of 33rd and Emmet Streets – Inside City – [see attached](#).

1640 – Over to 1/12/16

15. Res. that the replat transmitted herewith entitled BEDFORD PLACE REPLAT 2, located Northwest of 33rd and Emmet Streets, is hereby approved, and concurrently a portion of the existing plat entitled Bedford Place, and described on said replat, is hereby vacated – Inside City – [see attached](#).

Notice of public hearing on January 12, 2016 published in the Daily Record on December 25, 2016.

CCID # 1641 – Over three weeks to January 12, 2016 for publication and public hearing pursuant to City Council Rule VII H.

- (a) Planning Board and Planning Department recommend approval of the Final Plat of BEDFORD PLACE REPLAT 2, located Northwest of 33rd and Emmet Streets – Inside City – [see attached](#).

1641 – Over to 1/12/16

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LIQUOR

- 16. CATERING – Dough Pac Corp., dba “Sam & Louie’s”, 2949 North 204th Street. New application, Old location. Presently holds a Class “I” Liquor License. Property posted: 12-02-15; Notification sent: 12-11-15 – over from 12/15/15 and continue the public hearing – [see attached](#). ((PUBLIC HEARING CONTINUED TO TODAY ON THE APPLICATION BUT YOUR MOTION SHOULD BE TO ADOPT A RESOLUTION EITHER TO GRANT OR DENY))

THE FOLLOWING PERSONS APPEARED AND SPOKE:
For the City: William Acosta-Trejo, Assistant City Attorney
Buster Brown, City Clerk

CCID # 1574 – Motion by Melton to forward to the Nebraska Liquor Control Commission with no recommendation because the applicant did not appear at the public hearing
Seconded by Gray
ROLL CALL:
Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President
Motion Carried 7-0

- 17. CLASS “C” – Mercury, LLC, dba “Mercury”, 329 South 16th Street, Suite 3. New application, New location. Property posted: 12-09-15; Notification sent: 12-11-15 – [see attached](#). ((YOU HAVE YOUR HEARING ON THE APPLICATION BUT YOUR MOTION SHOULD BE TO ADOPT A RESOLUTION EITHER TO GRANT OR DENY))

Mike Kelley, 7134 Pacific Street, appeared and spoke.

CCID # 1594 –Motion by Melton that the Resolution to GRANT be adopted
Seconded by Thompson
ROLL CALL:
Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Mr. President
Pass: Jerram

CITY CLERK CALLS THE ROLL AGAIN:

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Mr. President

Pass: Jerram

Councilmember Jerram passed due to potential conflict of interest

RESOLUTION # 1594 – ADOPTED 6-0-1 Pass

18. LOH CAL, Inc., dba “Pauli’s”, 6750 Mercy Road, Suite 101, requests permission for an addition to their pending Class “C” and Catering Liquor License of an outdoor area approx. 14’ x 32’ to the east. Property posted: 12-09-15; Notification sent: 12-11-15 – [see attached](#). ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))

Jeff Lohmeier, 958 Fawn Parkway, appeared and spoke.

Motion by Thompson that the request be approved

Seconded by Melton

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

CCID # 1595 – APPROVED 7-0

19. Aksarben Hospitality, Inc., dba “Residence Inn – Omaha Aksarben Village”, 1717 South 67th Street, requests permission to appoint Andrew W. Harris manager of their present Class “C” Liquor License location – [see attached](#). ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))

CCID # 1596 – Motion by Gernandt that the application be laid over three weeks to January 12, 2016 and continue the public hearing

Seconded by Festersen

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Mr. President

Pass: Jerram

CITY CLERK CALLS THE ROLL AGAIN:

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Mr. President

Pass: Jerram

Councilmember Jerram passed due to potential conflict of interest

Motion Carried 6-0-1 Pass

- (a) Communication from Sean Kelley, Attorney representing Aksarben Hospitality, Inc., dba “Residence Inn – Omaha Aksarben Village”, 1717 South 67th Street, requesting the application to appoint Andrew W. Harris manager of their present Class “C” Liquor License location be laid over to January 12, 2016 – [see attached](#).

1596 – From Chair on File

20. HHC TRS LC Portfolio, LLC, dba “Omaha Marriott Hotel”, 10220 Regency Circle, requests permission to appoint Michael J. Staton manager of their present Class “C” and Catering Liquor License location – [see attached](#). ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))

Michael Staton, 9473 Spencer Street, appeared and spoke.

Motion by Thompson that the request be approved

Seconded by Melton

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

CCID # 1597 – APPROVED 7-0

21. Maxi-Mae, Inc., dba “D J’s Dugout”, 1003 & 1009 Capitol Avenue, requests permission to appoint Vickie L. Rush manager of their present Class “C” and Catering Liquor License location – [see attached](#).

Greg Pivovar, 2312 Cornhusker Road, Bellevue, appeared and spoke.

Motion by Jerram that the request be approved

Seconded by Melton

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

CCID # 1598 – APPROVED 7-0

- (a) Maxi-Mae, Inc., dba “D J’s Dugout”, 2102 South 67th Street, requests permission to appoint Megan D. Blair manager of their present Class “C” Liquor License location – [see attached](#). ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))

Motion by Jerram that the request be approved

Seconded by Melton

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

CCID # 1599 – APPROVED 7-0

22. Tangier Temple Holding Corp., dba “Bagdad Lounge”, 2823 South 84th Street, requests permission to appoint Michael W. Gardner manager of their present Class “C” Liquor License location – [see attached](#). ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))

Michael Gardner, 2823 South 84th Street, appeared and spoke.

Motion by Melton that the request be approved

Seconded by Thompson

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

CCID # 1600 – APPROVED 7-0

23. Hinky Dinky Leavenworth, LLC, dba “Nuestra Familia Supermercado #733”, 2900 Leavenworth Street, requests permission to appoint Lonnie G. Eggers manager of their present Class “C” Liquor License location – [see attached](#). ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))

Donnie Wild, on behalf of Lonnie Eggers, appeared and spoke.

Motion by Festersen that the request be approved

Seconded by Gray

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

CCID # 1601 – APPROVED 7-0

24. U Save Foods, Inc., dba “Bag N Save”, requests permission to appoint Lonnie G. Eggers manager of the following present Class “C” Liquor License locations: #774, 5110 South 108th Street; #780, 2650 North 90th Street; #781, 15370 Weir Street; #784, 14444 West Center Road; and #785, 3003 North 108th Street – [see attached](#).

Donnie Wild, on behalf of Lonnie Eggers, appeared and spoke.

Motion by Festersen that the request be approved

Seconded by Gray

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

CCID # 1602 – APPROVED 7-0

- (a) U Save Foods, Inc., dba “Family Fare”, requests permission to appoint Lonnie G. Eggers manager of the following present Class “C” Liquor License locations: #779, 5019 Grover Street; and #797, 820 N Saddle Creek Road – [see attached](#).

Motion by Festersen that the request be approved

Seconded by Gray

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

CCID # 1603 – APPROVED 7-0

- (b) U Save Foods, Inc., dba “No Frills Supermarket”, requests permission to appoint Lonnie G. Eggers manager of the following present Class “C” Liquor License locations: “#789, 8005 Blondo Street; #793, 3548 “Q” Street; #795, 7402 North 30th Street; and #800, 3026 South 24th Street – [see attached](#).

Motion by Festersen that the request be approved

Seconded by Gray

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

CCID # 1604 – APPROVED 7-0

- (c) U Save Foods, Inc., dba “Nuestra Familia Supermercado #775”, 1826 Vinton Street, requests permission to appoint Lonnie G. Eggers manager of their present Class “C” Liquor License location – [see attached](#). ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))

Motion by Festersen that the request be approved

Seconded by Gray

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

CCID # 1605 – APPROVED 7-0

25. Husker Notions, Inc., dba “Jazz, A Louisiana Kitchen”, 1421 Farnam Street, requests permission to appoint Ashton L. Jeffries manager of their present Class “I” Liquor License location – [see attached](#). ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))

Ashton Jeffries appeared and spoke.

Motion by Thompson that the request be approved

Seconded by Melton

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

CCID # 1606 – APPROVED 7-0

26. Rare Hospitality Management, Inc., dba “Longhorn Steakhouse #5422”, 7425 Dodge Street, Suite 103, requests permission to appoint Amy D. Bodenner manager of their present Class “I” Liquor License location – [see attached](#). ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))

Amy Bodenner, 18302 Dewey Avenue, appeared and spoke.

Motion by Thompson that the request be approved

Seconded by Festersen

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

CCID # 1607 – APPROVED 7-0

27. White Elephant, LLC, dba “Mai Thai II”, 2279 South 97th Street, Suite B, requests permission to appoint Panoopnong F. Petdanneau manager of their present Class “I” Liquor License location – [see attached](#). ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))

Panoopnong ‘Ryan’ Petdanneau, Mai Thai II, 2279 South 67th Street, Suite B, appeared and spoke.

Motion by Thompson that the request be approved

Seconded by Melton

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

CCID # 1608 – APPROVED 7-0

28. Bails, Inc., dba “Tobacco Hut #10”, 4865 Center Street, requests permission to appoint Candid M. Russell manager of their present Package Liquor License location – [see attached](#).

Candid Russell, 2570 Mason Street, appeared and spoke.

Motion by Melton that the request be approved

Seconded by Festersen

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

CCID # 1609 – APPROVED 7-0

- (a) DNP, Inc., dba “Tobacco Hut #1”, 5826 Maple Street, requests permission to appoint Candid M. Russell manager of their present Package Liquor License location – [see attached](#).

Motion by Melton that the request be approved

Seconded by Festersen

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

CCID # 1610 – APPROVED 7-0

- (b) KNA, Inc., dba “Tobacco Hut #15”, 5434 North 103rd Street, requests permission to appoint Candid M. Russell manager of their present Package Liquor License location – [see attached](#).

Motion by Melton that the request be approved

Seconded by Festersen

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

CCID # 1611 – APPROVED 7-0

- (c) REW, Inc., dba “Tobacco Hut #7”, 6510 South 84th Street, requests permission to appoint Candid M. Russell manager of their present Package Liquor License location – [see attached](#). ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))

Motion by Melton that the request be approved

Seconded by Festersen

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

CCID # 1612 – APPROVED 7-0

29. STL of Nebraska, Inc., dba “Target Store”, requests permission to appoint Patrick J. Dytrych manager of the following present Package and Catering Liquor License locations: #T-530, 4001 North 132nd Street; #T-1777, 17810 West Center Road; #T-2010, 6636 North 73rd Street; #T-2125, 7200 Dodge Street; #T-2326, 16959 Evans Plaza; and #T-2383, 12500 “K” Plaza – [see attached](#). ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))

Pat Dytrych, 518 South 51st Avenue, appeared and spoke.

Motion by Jerram that the request be approved

Seconded by Festersen

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

CCID # 1613 – APPROVED 7-0

30. Walgreen Co., dba “Walgreens”, requests permission to appoint Steven C. Roker manager of the following present Package Liquor License locations: #3186, 3701 North 132nd Street; #3621, 9001 Blondo Street; #4443, 9001 West Center Road; #4974, 5038 Center Street; #5059, 10725 Fort Street; #5143, 7151 Cass Street; #5190, 2323 “L” Street; #5360, 5062 South 155th Street; #5741, 3001 Dodge Street; #5966, 2605 South 171st Street; #6802, 15525 Spaulding Plaza; #6936, 4310 Ames Avenue; #6962, 3121 South 24th Street; #7272, 13155 West Center Road; #7563, 8989 West Dodge Road; #7693, 225 N Saddle Creek Road; #10437, 5225 North 90th Street; #11205, 6005 North 72nd Street; #13137, 13510 “Q” Street; and #15237, 2929 North 60th Street – [see attached](#). ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))

Steve Roker, District Manager, Walgreen’s, appeared and spoke.

Motion by Melton that the request be approved

Seconded by Festersen

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

CCID # 1614 – APPROVED 7-0

CONSENT AGENDA

(Any member of the City Council may cause any item placed on the Consent Agenda to be removed there from. 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 taken out of order as otherwise provided by the City Council Rules of Order.)

(The public hearings on Agenda Item Nos. 31 through 45 were held on December 15, 2015.)

CONSENT AGENDA – ORDINANCES

31. Ord. vacating that portion of “B” Street bounded by on the east by the west right of way line of Dahlman Ave. and bounded on the west by the easterly railroad right of way line of the Chicago Central & Pacific Railroad; together with vacation of the north south alley in Block 215, City of South Omaha, now Omaha, Douglas County, NE; between “A” Street and “B” Street and vacated 32nd Ave. and 33rd Street abutted by Lots 4, 5, 6, 7, 8, 9, 10, 11, in Block 215, City of South Omaha, now Omaha, Douglas County, NE; together with vacation of the east-west alley in Block 223, City of South Omaha, now Omaha, Douglas County, NE bounded on the east by the west right of way line of 33rd Street and bounded on the west by the easterly railroad right of way line of the Chicago Central & Pacific Railroad; together with vacation of 33rd Street bounded on the north by the extended north Lot line of Lot 5, Block 214, City of South Omaha, now Omaha, Douglas County, NE, and bounded on the south by the extended north Lot line of Lot 5, Block 223, City of South Omaha, now Omaha, Douglas County, NE, and providing the effective date hereof – [see attached](#).

(See Doc. # 1546 – December 8 and 15 Meetings)

Notice of public hearing on December 15, 2015 published in the Daily Record on December 11, 2015. Ordinance passed on December 22, 2015 published in the Daily Record on December 30, 2015.

CCID # 1546 – Motion by Festersen that the Ordinance be passed

Seconded by Melton

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

ORDINANCE # 40589 - PASSED 7-0

- (a) Planning Board and Planning Department recommend approval of the vacation of portions of “B” Street, 33rd Street, and alleys located west of Dahlman Avenue – [see attached](#).
(See Doc. # 1546 – December 8 and 15 Meetings)

1546 – From Chair on File

- 32. Ord. to approve a three-year contract with Spectracom, Inc., dba River City Recycling, for receipt and disposal of rubbish delivered by residents of the City of Omaha, with an estimated annual cost of \$40,000; to provide for payments involving appropriations of more than one year in accordance with Section 5.17 of the Home Rule Charter, as amended; to provide for payments from a specific account; and to provide an effective date hereof – [see attached](#).
(See Doc. # 1547 – December 8 and 15 Meetings)
Notice of public hearing on December 15, 2015 published in the Daily Record on December 11, 2015. Ordinance passed on December 22, 2015 published in the Daily Record on December 30, 2015.

CCID # 1547 – Motion by Festersen that the Ordinance be passed

Seconded by Melton

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

ORDINANCE # 40590 - PASSED 7-0

- 33. Ord. reinstating a lease with Qwest Corporation, a Colorado corporation d/b/a CenturyLink QC for the use of a 90 square foot equipment room in the Omaha Park Seven parking facility, located at 100 North 15th Street, for a term running from June 1, 2015 through May 31, 2025, with up to two extensions of five years each upon mutual agreement; to provide for payments involving appropriations of more than one year in accordance with Section 5.17 of the Home Rule Charter, as amended; to provide for payments from a specific account; and to provide an effective date hereof – [see attached](#).

(See Doc. # 1548 – December 8 and 15 Meetings)

Notice of public hearing on December 15, 2015 published in the Daily Record on December 11, 2015. Ordinance passed on December 22, 2015 published in the Daily Record on December 30, 2015.

CCID # 1548 – Motion by Festersen that the Ordinance be passed

Seconded by Melton

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

ORDINANCE # 40591 - PASSED 7-0

34. Ord. to accept the bid from Alexander Lawn & Landscape, Inc. for grounds maintenance mowing of the right-of-way identified as Area 5, being from 192nd Street west to the City Limits and from Pacific Street north to the City Limits in the amount of \$43,248.72 per year, for a two year period ending November 15, 2017; 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; to authorize the Purchasing Agent to issue a purchase order; and to provide an effective date hereof – [see attached](#).

(See Doc. # 1550 – December 8 and 15 Meetings)

Notice of public hearing on December 15, 2015 published in the Daily Record on December 11, 2015. Ordinance passed on December 22, 2015 published in the Daily Record on December 30, 2015.

CCID # 1550 – Motion by Festersen that the Ordinance be passed

Seconded by Melton

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

ORDINANCE # 40592 - PASSED 7-0

35. Ord. to accept the bid from NL & L Concrete, Inc., also known as Navarro Lawns for grounds maintenance mowing of right-of-ways identified as Area 2, being from 90th Street east to the Missouri River and Cuming Street south to the City Limits; Area 4, being from 90th Street west to 132nd Street and from Dodge Street south to the City Limits; and Area 6, being from 132nd Street west to 192nd Street and from Dodge Street south to the City Limits in the amount of \$183,252.48 per year, for a two year period ending November 15, 2017; 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; to authorize the Purchasing Agent to issue a purchase order; and to provide an effective date hereof – [see attached](#).

(See Doc. # 1563 – December 8 and 15 Meetings)

Notice of public hearing on December 15, 2015 published in the Daily Record on December 11, 2015. Ordinance passed on December 22, 2015 published in the Daily Record on December 30, 2015.

CCID # 1563 – Motion by Festersen that the Ordinance be passed

Seconded by Melton

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

ORDINANCE # 40593 - PASSED 7-0

36. Ord. to accept the bid from Superior Green for grounds maintenance mowing of right-of-ways identified as Area 1, being from 90th Street east to the Missouri River and from Cuming Street north to the City Limits and Area 3, being from 90th Street west to 168th Street and from Dodge Street north to the City Limits in the amount of \$90,616.12 per year, for a two year period ending November 15, 2017; 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; to authorize the Purchasing Agent to issue a purchase order; and to provide an effective date hereof – [see attached](#).
(See Doc. # 1549 – December 8 and 15 Meetings)
Notice of public hearing on December 15, 2015 published in the Daily Record on December 11, 2015. Ordinance passed on December 22, 2015 published in the Daily Record on December 30, 2015.

CCID # 1549 – Motion by Festersen that the Ordinance be passed

Seconded by Melton

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

ORDINANCE # 40594 - PASSED 7-0

37. Ord. declaring the necessity of appropriating, for the use of the City of Omaha, certain hereinafter described property located at 1920 Corby Street, and legally described in the attached purchase agreement, for subsequent use as a site for implementing the Consolidated Submission for Community Planning and Development Programs FY 2014 Action Plan; provided that as to each specified parcel, proceedings in eminent domain may be undertaken and completed for the purpose of clearing title; to provide that notwithstanding any provisions of the Omaha Municipal Code to the contrary, the attached Agreement between the City of Omaha and Eddie L. McCreary, 7828 King Street, Omaha, NE 68122, to acquire the property for the sum of Twenty Thousand and NO/100 Dollars (\$20,000.00) is approved; project costs will be paid from Community Development Block Grant, Fund 12186, Organization No. 128072, Project No. 4501, Task 10.1440, Award 100182; and to provide the effective date hereof – [see attached](#).
(See Doc. # 1551 – December 8 and 15 Meetings)
Notice of public hearing on December 15, 2015 published in the Daily Record on December 11, 2015. Ordinance passed on December 22, 2015 published in the Daily Record on December 30, 2015.

CCID # 1551 – Motion by Festersen that the Ordinance be passed

Seconded by Melton

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

ORDINANCE # 40595 - PASSED 7-0

38. Ord. to approve a professional services agreement between the City of Omaha and Clark Creative for the period January 1, 2016 through December 31, 2018; with the option to extend for two (2) 12-month terms; for advertising and marketing services for the Omaha Convention and Visitors Bureau in an amount not to exceed one million eight hundred thousand dollars (\$1,800,000) per year; to authorize the payments specified therein; and to provide an effective date – [see attached](#).

(See Doc. # 1552 – December 8 and 15 Meetings)

Notice of public hearing on December 15, 2015 published in the Daily Record on December 11, 2015. Ordinance passed on December 22, 2015 published in the Daily Record on December 30, 2015.

CCID # 1552 – Motion by Festersen that the Ordinance be passed

Seconded by Melton

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

ORDINANCE # 40596 - PASSED 7-0

39. Ord. to approve a professional services agreement between the City of Omaha and Swanson Russell for the period January 1, 2016 through December 31, 2018; with the option to extend for two (2) 12-month terms; for advertising and marketing services for the Omaha Convention and Visitors Bureau in an amount not to exceed two hundred thousand dollars (\$200,000) per year; to authorize the payments specified therein; and to provide an effective date – [see attached](#).

(See Doc. # 1553 – December 8 and 15 Meetings)

Notice of public hearing on December 15, 2015 published in the Daily Record on December 11, 2015. Ordinance passed on December 22, 2015 published in the Daily Record on December 30, 2015.

CCID # 1553 – Motion by Festersen that the Ordinance be passed

Seconded by Melton

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

ORDINANCE # 40597 - PASSED 7-0

40. Ord. to approve the acceptance of and authorize disbursement over more than one fiscal year from the Nebraska Crime Commission, FY 2014 Federal Title II Grant, Award #14-JJ-0019, in the amount of nine thousand and nine hundred dollars (\$9,900), during the project period extending from July 1, 2015 to June 30, 2016; to provide funding for the Omaha Fire Department (OFD) Youth Firesetters Program, focusing on youth fire safety education, arson prevention, and increased information sharing with juvenile justice service providers as detailed in the attached grant application; to authorize payment from such grant funding and involving appropriations of more than one year in conformity with Section 5.17 of the Home Rule Charter; and, providing for the effective date hereof – [see attached](#). (See Doc. # 1556 – December 8 and 15 Meetings)
Notice of public hearing on December 15, 2015 published in the Daily Record on December 11, 2015. Ordinance passed on December 22, 2015 published in the Daily Record on December 30, 2015.

CCID # 1556 – Motion by Festersen that the Ordinance be passed
Seconded by Melton

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

ORDINANCE # 40598 - PASSED 7-0

41. Ord. to accept the bid of LP Building Services Group in the annual amount of \$289,500.00, involving appropriations of more than one year as provided in 5.17 of the Home Rule Charter, to provide janitorial services at the Omaha Police Department Headquarters facility and satellite precinct stations and facilities for the period beginning February 1, 2016 to January 31, 2020, with two additional one-year options held by the City; to authorize the Finance Department to make payments from a specified account to LP Building Services Group for the cost of janitorial services in accordance with the specifications; and to provide an effective date – [see attached](#). (See Doc. # 1554 – December 8 and 15 Meetings)
Notice of public hearing on December 15, 2015 published in the Daily Record on December 11, 2015. Ordinance passed on December 22, 2015 published in the Daily Record on December 30, 2015.

CCID # 1554 – Motion by Festersen that the Ordinance be passed
Seconded by Melton

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

ORDINANCE # 40599 - PASSED 7-0

42. Ord. to amend portions of Article XII of Chapter 10 of the Omaha Municipal Code concerning Hazardous Material Emergency Response Expense Recovery to expand the definition of Hazardous Material to make it more consistent with the incidences that merit a hazardous materials response; to authorize action to address any hazardous materials incident and to broaden who may be responsible for its cleanup; to add a section making it clear that the City has the discretion as to whether to abate a hazardous materials incident; repealing Sections 10-290 and 10-291 the Omaha Municipal Code as heretofore existing; and providing for the effective date hereof – [see attached](#).

(See Doc. # 1561 – December 8 and 15 Meetings)

Notice of public hearing on December 15, 2015 published in the Daily Record on December 11, 2015. Ordinance passed on December 22, 2015 published in the Daily Record on December 30, 2015.

CCID # 1561 – Motion by Festersen that the Ordinance be passed

Seconded by Melton

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

ORDINANCE # 40600 - PASSED 7-0

43. Ord. to amend Chapter 46 entitled Fire Code, by adopting the 2012 Edition of the International Fire Code regulating and governing the safeguarding of life and property from fire and explosion hazards, providing the issuance of permits and the collection of fees and the addition of a technology fee to be collected by the Fire Department for permits or other items, in an amount not to exceed eight percent of the underlying fee up to a maximum of \$100.00 per item; repealing Chapter 46 of the Omaha Municipal Code as heretofore existing; and providing for the effective date hereof – [see attached](#).

(See Doc. # 1562 – December 8 and 15 Meetings)

Notice of public hearing on December 15, 2015 published in the Daily Record on December 11, 2015. Ordinance passed on December 22, 2015 published in the Daily Record on December 30, 2015.

CCID # 1562 – Motion by Festersen that the Ordinance be passed

Seconded by Melton

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

ORDINANCE # 40601 - PASSED 7-0

44. Ord. to amend Section 23-177 of the Omaha Municipal Code concerning employment classifications by adding the employment classification entitled “Convention Services and Housing Manager” with a salary range of 9.1 MC (\$43,019-\$52,183); to repeal Section 23-177 as heretofore existing; and to provide the effective date hereof – [see attached](#).

(See Doc. # 1565 – December 8 and 15 Meetings)

Notice of public hearing on December 15, 2015 published in the Daily Record on December 11, 2015. Ordinance passed on December 22, 2015 published in the Daily Record on December 30, 2015.

CCID # 1565 – Motion by Festersen that the Ordinance be passed
Seconded by Melton

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

ORDINANCE # 40602 - PASSED 7-0

- 45. Ord. approving the contract with Firststar Fiber, Inc. for OPW 52772, known as the Omaha Mixed Recyclables Processing 2016 through 2021 Project, being the sole bid received, based on the bid commodity prices which include commodity per ton of \$10.00, Commodity Floor (Stop Loss) per ton of \$110.00, and Drop-Off Site Pull Charge Bid of \$160.00, with a current estimated cost of \$232,000.00; to provide for payments from appropriations of more than one year in accordance with Section 5.17 of the Home Rule Charter of 1956, as amended; to provide for payments from a specific account; and, to provide for an effective date hereof – [see attached](#).

(See Doc. # 1566 – December 8 and 15 Meetings)

Notice of public hearing on December 15, 2015 published in the Daily Record on December 11, 2015. Ordinance passed on December 22, 2015 published in the Daily Record on December 30, 2015.

CCID # 1566 – Motion by Festersen that the Ordinance be passed
Seconded by Melton

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

ORDINANCE # 40603 - PASSED 7-0

((MOTION NEEDED THAT THE ORDINANCES ON THE CONSENT AGENDA BE PASSED))

* * * * *

(The public hearings on Agenda Item Nos. 46 through 64 are today. If you wish to address the City Council regarding these items, please come to the microphone, indicate the Agenda Item Number you wish to address, identify yourself by your name, address, who you represent, and if you are a proponent or opponent.)

CONSENT AGENDA – RESOLUTIONS

46. Res. that, as recommended by the Mayor, Change Order No. 2 for Graham Construction for aforementioned design changes and mobilization for tunnel work added to OPW 51995, being the Cole Creek CSO 204 Area – Phase I Combined Sewer Separation Project, is hereby approved; and that, the Finance Department is authorized to pay an additional sum of \$180,942.17 for the changes to the contract from the Sewer Revenue Improvement Fund 21124, CSO Control Implementation Organization 116918, year 2015 expenditure; Sewer Revenue Bonds will be issued to finance this project – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

RESOLUTION # 1615 – ADOPTED 7-0

47. Res. that, as recommended by the Mayor, the contract with Vierregger Electric Co., Inc. for OPW 52854, being the 72nd and Pacific Street Signal Structure Project, in the amount of \$167,432.74 is hereby approved; and, that the Finance Department is authorized to pay this cost from the Street and Highway Allocation Fund 12131, Traffic Capital Organization 116189 – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

RESOLUTION # 1616 – ADOPTED 7-0

48. Res. that, as recommended by the Mayor, the contract with BARCO Municipal Products, Inc. for Galvanized “U” Posts for the City of Omaha Traffic Division in the amount of \$93,680.00 is hereby approved; and, that the Finance Department is authorized to pay this cost from the Street and Highway Allocation 12131 and Traffic Control Signs Organization 116188 – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

RESOLUTION # 1617 – ADOPTED 7-0

49. Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Swarco Reflex LLC for the purchase of pavement marking beads to be utilized by the Traffic Maintenance Division in the amount of \$69,192.00; and, that the Finance Department is authorized to pay this cost from the Street and Highway Allocation Fund 12131, Pavement Markings Organization 116184 – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

RESOLUTION # 1618 – ADOPTED 7-0

50. Res. that, the payment for planning consulting services in the amount not to exceed Seventy-Five Thousand and no/100 dollars (\$75,000.00) for January 1, 2016 through December 31, 2016 is hereby approved. Funds shall be payable from FY2016 General Fund, Fund No. 11111, Administration Organization No. 109011 – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

RESOLUTION # 1619 – ADOPTED 7-0

51. Res. that, as recommended by the Mayor, the contract with Melvin Sudbeck Homes, Inc., for the Locust Glen - Phase I Project for the construction of one new house in the Locust Glen Neighborhood, 19th and Locust Streets, in the amount of \$208,900.00 is hereby approved and the Finance Department is authorized to pay the cost of the Locust Glen - Phase I Project from the 2014 HOME Investment Partnerships Program, Fund No. 12179, Organization No. 128101 and 2013 Nebraska Affordable Housing Trust Fund No. 12141, Organization No. 128101 – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

RESOLUTION # 1620 – ADOPTED 7-0

52. Res. that, the attached Grant Agreement, as recommended by the Mayor, to provide funding in the amount of \$39,670.00 for the rehabilitation and lead reduction work, when applicable, to the property owned by Karla Marie Edmonson located at 3514 Burdette Street, Omaha, NE 68111, is hereby approved. The contract is to be awarded to Absolute Remodeling. Funds shall be paid as follows: \$24,170.00 from CDBG Target Area Program 2015, Fund No. 12186, Org. No. 128072; and \$15,500.00 from NAHTF 13-TFHO-2077 Owner Occupied Rehabilitation (Prospect Village), Fund No. 12141, Org. No. 128101 – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

RESOLUTION # 1621 – ADOPTED 7-0

53. Res. that, as recommended by the Mayor, costs in the total amount of \$330,000.00 for the construction of a 6” thick, and 10-foot wide concrete trail to connect to the west end of the trail at Briar Hills, along the north side of the West Papio Creek, for S&ID No. 516, Camden Grove, located southeast of 180th & Blondo Streets, is hereby approved. The approximate length of the trail is 2,500 feet and includes a 56-foot long pedestrian bridge, a couple of small retaining walls to keep from grading into lots, and gabion walls to help with some slope stabilization; and. that the costs incurred by S&ID No. 516, Camden Grove, to make these improvements will be funded 100% by the General Operating Funds of the S&ID – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

RESOLUTION # 1622 – ADOPTED 7-0

54. Res. that, as recommended by the Mayor, costs in the total amount of \$102,775.50 for park improvements consisting of the installation of additional play equipment, accessible rubber playground surfacing, and furnishings, for S&ID No. 490, Deerwood/Avalon, located northeast of 114th & Ida Streets, is hereby approved; and, that the costs incurred by S&ID No. 490, Deerwood/Avalon, to make these improvements will be funded 100% by the General Operating Funds of the S&ID – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

RESOLUTION # 1623 – ADOPTED 7-0

55. Res. that, as recommended by the Mayor, the bid in the total amount of \$212,652.00 from AFL, LLC, d/b/a Anderson Ford Lincoln Mercury Mazda, to purchase twelve (12) 2016 or current production year, Ford Fusion 4-door sedans, to be utilized by the Omaha Fire Department, based on a bid to the State of Nebraska per Contract Number 14370 OC, is hereby accepted. The Purchasing Agent is authorized to issue a purchase order in conformance herewith. Funds will be paid from the BFY 2016, City Capital Improvements Fund 13112, City Capital Improvements 131555, \$10,000 > Vehicles 47032. Lease purchase bonds will be issued and the Omaha Fire Department will be making subsequent payments out of the General Fund – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

RESOLUTION # 1624 – ADOPTED 7-0

56. Res. that, as recommended by the Mayor, the bid in the total amount of \$181,005.00 from Sid Dillon Wahoo Inc., to purchase five (5) 2016 or current production year, Chevrolet Tahoe Large Special Service Four Wheel Drive vehicles, to be utilized by the Omaha Fire Department, based on a bid to the State of Nebraska per Contract Number 14354 OC, is hereby accepted. The Purchasing Agent is authorized to issue a purchase order in conformance herewith. Funds will be paid from the BFY 2016, City Capital Improvements Fund 13112, City Capital Improvements 131555, \$10,000 > Vehicles 47032. Lease purchase bonds will be issued and the Omaha Fire Department will be making subsequent payments out of the General Fund – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

RESOLUTION # 1625 – ADOPTED 7-0

57. Res. that, as recommended by the Mayor, the bid in the total amount of \$26,480.00 from Sid Dillon Ford Inc., to purchase one (1) 2016 or current production year, Ford F-250, ¾ Ton Regular Cab 4x4 Base Truck, to be utilized by the Omaha Fire Department, based on a bid to the State of Nebraska per Contract Number 14341 OC, is hereby accepted. The Purchasing Agent is authorized to issue a purchase order in conformance herewith. Funds will be paid from the BFY 2016, City Capital Improvements Fund 13112, City Capital Improvements 131555, \$10,000 > Vehicles 47032. Lease purchase bonds will be issued and the Omaha Fire Department will be making subsequent payments out of the General Fund – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

RESOLUTION # 1626 – ADOPTED 7-0

58. Res. that, as recommended by the Finance Director and Mayor, the donation of the used avionic equipment, unusable for City purposes as provided in Section 5.21 of the Home Rule Charter, described and attached hereto, to the Iowa Western Community College, Aviation Maintenance Program, to be used as teaching aids, is hereby approved and that the Omaha Police Department Air Support Unit is authorized to convey or release to the Iowa Western Community College, Aviation Maintenance Program the donated used avionic equipment as per the attached list – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

RESOLUTION # 1627 – ADOPTED 7-0

59. Res. that, as recommended by the Mayor, the purchase based upon the proposal from ShotSpotter, Inc. in the amount of \$65,000.00 to expand the gunshot location system for the Omaha Police Department to include coverage of 1.06 square miles along the Northwest and Southwest boundaries of the current coverage area, is hereby approved, and that the Finance Department of the City of Omaha is authorized to pay \$65,000.00 from Year 2015, General Fund 11111, Organization 113213 Information Technology, Account 42411 Maintenance Contracts – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

RESOLUTION # 1628 – ADOPTED 7-0

60. Res. that, as recommended by the Mayor, the purchase based upon the quote of Anderson Ford Lincoln Mercury Mazda in the amount of \$292,644.00, which represents Nebraska State Contract bid pricing, having been determined to be the best available current price, for eleven (11) 2016 Ford Explorers, is hereby approved, and that the Finance Department is authorized to pay the cost of the Ford Explorers in the total amount of \$292,644.00 from the City Capital Improvement Fund 13112, Organization 113141 Fleet/Facilities, Account 47031 Vehicles Small/Law Enforcement Only. The City will finance the purchase of the vehicle through the issuance of lease purchase bonds by the Public Facilities Corporation. The Omaha Police Department will make semi-annual payments to the Public Facilities Corporation over a three year period to repay the bonds – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

RESOLUTION # 1629 – ADOPTED 7-0

61. Res. that, as recommended by the Mayor, the purchase based upon the quote of Anderson Ford Lincoln Mercury Mazda in the amount of \$22,261.00, which represents Nebraska State Contract bid pricing, having been determined to be the best available current price, for one Year 2016 Ford Transit utility van, is hereby approved, and that the Finance Department is authorized to pay the cost of the Ford Transit utility van in the total amount of \$22,261.00 from the City Capital Improvement Fund 13112, Organization 113141 Fleet/Facilities, Account 47031 Vehicles Small/Law Enforcement Only. The City will finance the purchase of the vehicle through the issuance of lease purchase bonds by the Public Facilities Corporation. The Omaha Police Department will make semi-annual payments to the Public Facilities Corporation over a three year period to repay the bonds – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

RESOLUTION # 1630 – ADOPTED 7-0

62. Res. that, as recommended by the Mayor, the purchase based upon the quote of Husker Auto Group in the amount of \$103,820.00, which represents Nebraska State Contract bid pricing, having been determined to be the best available current price, for five (5) 2016 Chevrolet Equinox SUVs, is hereby approved, and that the Finance Department is authorized to pay the cost of the Chevrolet Equinox SUVs in the total amount of \$103,820.00 from the City Capital Improvement Fund 13112, Organization 113141 Fleet/Facilities, Account 47031 Vehicles Small/Law Enforcement Only. The City will finance the purchase of the vehicle through the issuance of lease purchase bonds by the Public Facilities Corporation. The Omaha Police Department will make semi-annual payments to the Public Facilities Corporation over a three year period to repay the bonds – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

RESOLUTION # 1631 – ADOPTED 7-0

63. Res. that the proposal of Ashpaugh & Sculco, CPA's, PLC, to provide professional audit services to review the telecommunication occupation taxes imposed by the Omaha Municipal Code (Ordinance Sections 19-88, and 19-291 through 19-302) and to ensure the payments of all telecommunication occupation taxes under the provisions have been paid correctly and in accordance with Omaha's municipal code, is hereby approved – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

RESOLUTION # 1642 – ADOPTED 7-0

64. Res. that, as recommended by the Mayor, BiblioCMS Fee based upon the quote of Bibliocommons Inc., providing a unique and non-competitive service, in the amount not to exceed \$51,528.71 for BiblioCMS, a fully-hosted integrated content management system, which includes theming, high-level information architecture, training, support, and upgrades, is hereby approved; and, the Finance Department is authorized to pay the \$51,528.71 cost thereof from the Library's General Fund 11111, Organization 117017, year 2015 expenditures – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

RESOLUTION # 1643 – ADOPTED 7-0

((MOTION NEEDED THAT THE RESOLUTIONS ON THE CONSENT AGENDA BE ADOPTED))

* * * * *

ORDINANCES ON FINAL READING

65. Ord. to approve an agreement between the City of Omaha and Black Men United in the amount of thirty-seven thousand and fifty dollars (\$37,050) for facility improvements at the Kumani Center, which will provide pre-vocational training as detailed in the Black Men United Urban Pre-Vocational Training Program Plan Executive Summary, during the period of December 1, 2015 and March 31, 2016; to authorize funding for such agreement from 2015 Community Development Support, General Fund 11111, Organization 126046, Account 46111; and to authorize payment from such funding and involving appropriations of more than one fiscal year in conformity with Section 5.17 of the Home Rule Charter; and, providing for the effective date hereof – [see attached](#). ((PUBLIC HEARING HELD 12/15/15 – CAN BE PASSED TODAY))

(See Doc. # 1555 – December 8 and 15 Meetings)

Notice of public hearing on December 15, 2015 published in the Daily Record on December 11, 2015. Ordinance passed on December 22, 2015 published in the Daily Record on December 30, 2015.

Willie Hamilton, 4200 North 30th Street, President, Black Men United, appeared and spoke.

CCID # 1555 – Application read

Motion by Jerram that the Ordinance be passed as amended

Seconded by Gray

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

ORDINANCE # 40604 - PASSED AS AMENDED 7-0

- (a) Amendment requested by the Administration – over from 12/15/15 – [see attached](#).

CCID # 1555 – Motion by Jerram that the amendment be approved

Seconded by Gray

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

Motion Carried 7-0

66. Ord. to approve an agreement between the City of Omaha and the Greater Omaha Chamber of Commerce, for more than one year, in the amount of \$130,000 per year, wherein the Chamber establishes a program known as the REACH Program in which the City and other community partners will cooperate and work to increase Small and Emerging Businesses (SEBs) in Omaha; to expand the capacity and capabilities of SEBs through education, training and technical assistance; to assist SEBs in fostering greater contracting opportunities for SEBs; the Finance Department is authorized to pay the cost from Fund No. 11111, Organization 119014, Account Code 42239; and to provide for the effective date hereof – [see attached](#). ((PUBLIC HEARING HELD 12/15/15 – CAN BE PASSED TODAY))

(See Doc. # 1567 – December 8 and 15 Meetings)

Notice of public hearing on December 15, 2015 published in the Daily Record on December 11, 2015. Ordinance passed on December 22, 2015 published in the Daily Record on December 30, 2015.

THE FOLLOWING PERSONS APPEARED AND SPOKE:

Proponent: Winsley Durand, Executive Director, REACH, Greater Omaha Chamber, 1301 Harney Street

Opponents: Stan Sena, Mountain Plains Minority Supplier Development Council, 2505 North 24th Street
Dick Davis, Davis Companies, 1313 Cuming Street
Eliga Ali, 2912 North 26th Street

For the City: Spencer Danner, Director, Human Rights & Relations Department
Marty Bilek, Mayor's Office

CCID # 1567 – Ordinance read

Motion by Jerram that the Ordinance be passed as amended

Seconded by Festersen

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram

Nay: Mr. President

ORDINANCE # 40605 - PASSED AS AMENDED 6-1

- (a) Amendment requested by the Administration – over from 12/15/15 – [see attached](#).
(See Doc. # 1567 – December 15 Meeting)

CCID # 1567 – Motion by Jerram that the amendment be approved

Seconded by Festersen

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram

Nay: Mr. President

Motion Carried 6-1

- (b) Communication from Thomas H. Warren, Sr., President & CEO, Urban League of Nebraska, supporting the REACH Program to be administered by the Omaha Chamber of Commerce – [see attached](#).
(See Doc. # 1567 – December 15 Meeting)

1567 – From Chair on File

- (c) Communication from Larry Swain, Project Manager for Swain Custom Development LLC, re: concerns with the REACH Program, etc. – [see attached](#).

1567 – From Chair on File

**“PURSUANT TO CITY COUNCIL RULE VII F
AGENDA ITEM NOS. 67 THROUGH 68 SHALL BE LAID OVER
THREE WEEKS FOR PUBLICATION AND PUBLIC HEARING”**

RESOLUTIONS

67. Res. that, the attached Amendment to the Downtown Northeast Redevelopment Plan be and hereby is approved as the Redevelopment Plan which allows for an additional Project Area to be incorporated into the Plan, generally located northwest of 11th and Douglas Streets and is approximately 1.2 acres, and for a Redevelopment Project that would allow for the future expansion of Holland Performing Arts Center to include educational facilities, potential additional performance areas and such uses as office space, educational classrooms, performance areas, retail space, parking and other such comparable or suitable uses, and other improvements, as needed, as recommended by the City Planning Department, be and hereby is approved – [see attached](#).

Notice of public hearing on January 12, 2016 published in the Daily Record and Omaha World Herald on December 24, 2016 and December 31, 2016.

CCID # 1632 – Over three weeks to January 12, 2016 for publication and public hearing pursuant to City Council Rule VII F.

68. Res. that, the attached Uptown District Tax Increment Financing (TIF) Redevelopment Project Plan for a redevelopment site generally bound by Park Avenue on the east, Dewey Street and Turner Boulevard on the north, 33rd Street on the west and south to Woolworth Street, which proposes the construction of 96 attached, mostly three-story row houses, spread over 11 separate non-contiguous project sites, recommending the City’s participation through the allocation of TIF in an amount up to \$4,305,000.00 to offset TIF eligible expenses such as acquisition, site preparation, demolition, architectural and engineering fees, environmental costs, surveys, utility connections, and all public improvements as required, but is subject to change as final costs come in, 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 – [see attached](#).

Notice of public hearing on January 12, 2016 published in the Daily Record and Omaha World Herald on December 24, 2016 and December 31, 2016.

CCID # 1633 – Over three weeks to January 12, 2016 for publication and public hearing pursuant to City Council Rule VII F.

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ORDINANCES ON SECOND READING

“PURSUANT TO CITY COUNCIL RULE VII H DUE TO NO MEETINGS BEING HELD DECEMBER 29, 2015 AND JANUARY 5, 2016 THE THIRD READING AND PUBLIC HEARING ON AGENDA ITEM NO. 69 SHALL BE HELD ON JANUARY 12, 2016”

69. Ord. to create Road Maintenance Improvement District No. 745-25, in the City of Omaha, for the purpose of improving South 97th Avenue, from West Center Road north to Rockbrook Road; South 99th Avenue, from West Center Road north to Rockbrook Road; South 101st Avenue, from West Center Road north to 2408 South 101st Avenue; South 102nd Street, from 2609 South 102nd Street north to Rockbrook Road; Pinehurst Circle, from South 99th Avenue to its terminus east of South 99th Avenue, Rockbrook Road, from South 102nd Street to its terminus east of South 97th Avenue; and Woodridge Lane, from South 98th Avenue to South 97th Avenue by asphalt overlay; 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; and to provide for an effective date hereof – [see attached](#). (See Doc. # 1582 – December 15 Meeting)

CCID # 1582 – ORDINANCE ON SECOND READING – Final reading and public hearing to be held January 12, 2016 pursuant to City Council Rule VII H.

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“PURSUANT TO CITY COUNCIL RULE VII H DUE TO NO MEETINGS BEING HELD DECEMBER 29, 2015 AND JANUARY 5, 2016 THE THIRD READINGS ON AGENDA ITEM NOS. 70 THROUGH 76 SHALL BE HELD ON JANUARY 12, 2016” ((THE PUBLIC HEARINGS ON THESE ITEMS ARE TODAY))

70. Ord. approving an Interlocal Agreement between the City of Omaha and the Omaha-Council Bluffs Metropolitan Area Planning Agency (MAPA) involving the payment of money from appropriations of more than one year in accordance with Section 5.17 of the Home Rule Charter of 1956, as amended; to provide for the terms and conditions under which Omaha and MAPA will participate in a project to obtain regional digital map products; to authorize the Finance Department to pay cost share to MAPA not to exceed \$80,000.00, to be paid from their respective Departmental Budgets, according to the disbursement terms contained within the Agreement; and to provide an effective date hereof – [see attached](#). (See Doc. # 1583 – December 15 Meeting)

CCID # 1583 – Public hearing was held today – Final reading set for January 12, 2016 pursuant to City Council Rule VII H.

71. Ord. to accept the bid from Nebraska's Best for grounds maintenance mowing of right-of-ways identified as L Street, being along L Street from 50th Street to Industrial Road then along Industrial Road to West Center Road, then along West Center Road to 192nd Street; Sorensen Parkway to Arthur C. Storz Expressway to North Freeway, being along the Sorensen Parkway and Storz Expressway from 56th Street east to Abbott Drive and along North Freeway from Sorensen Parkway to Cuming Street; and the Dodge/Maple right-of-way, being along Maple Street from 72nd Street west to City Limits and along Dodge Street from 96th Street to 120th Street in the amount of \$185,802.58 per year, for a two year period ending November 15, 2017; 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; to authorize the Purchasing Agent to issue a purchase order; and to provide an effective date hereof – [see attached](#).
(See Doc. # 1584 – December 15 Meeting)

CCID # 1584 – Public hearing was held today – Final reading set for January 12, 2016 pursuant to City Council Rule VII H.

72. Ord. approving a redevelopment and tax increment financing loan agreement between the City of Omaha and KN Innovation, LLC, a Nebraska limited liability company, to implement the Kiewit Education, Innovation and Leadership (EIL) Facility Tax Increment Financing (TIF) Redevelopment Project Plan for a project site located along Mike Fahey Street between 14th and 15th Streets in North Downtown, which proposes the construction of a two-story, 63,000 square foot education, innovation and leadership facility; the agreement authorizes the use of up to \$2,340,000.00 in excess ad valorem taxes (TIF) generated by the development to help fund the cost of the project; and providing for an effective date – [see attached](#).
(See Doc. # 1591 – December 15 Meeting)

Bridget Hadley, Planning Department, appeared and spoke.

CCID # 1591 – Public hearing was held today – Final reading set for January 12, 2016 pursuant to City Council Rule VII H.

73. Ord. 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-154, at 8616 Vernon Avenue, as requested by Greg Armstrong of Swain Enterprises, LLC; and to provide the effective date hereof – [see attached](#).
(See Doc. # 1585 – December 15 Meeting)

CCID # 1585 – Public hearing was held today – Final reading set for January 12, 2016 pursuant to City Council Rule VII H.

74. Ord. to approve the acceptance of and authorize disbursement over more than one fiscal year from the U.S. Department of Housing and Urban Development, Office of Lead Hazard Control and Healthy Homes, FY 2015 Lead Hazard Reduction Demonstration Grant, Award #NELHD0278-15, in the amount of two million, two hundred ninety-five thousand, one hundred sixty-six dollars (\$2,295,166), match in the amount of seven hundred forty thousand dollars (\$740,000), and total program amount of three million, thirty-five thousand, one hundred sixty-six dollars (\$3,035,166), during the project period extending from November 16, 2015 to November 15, 2018; to provide funding for lead hazard control services for up to 135 housing units in targeted areas of substandard housing; to authorize payment from such grant funding and involving appropriations of more than one year in conformity with Section 5.17 of the Home Rule Charter; and, providing for the effective date hereof – [see attached](#).
(See Doc. # 1586 – December 15 Meeting)

CCID # 1586 – Public hearing was held today – Final reading set for January 12, 2016 pursuant to City Council Rule VII H.

75. Ord. to approve the acceptance of and authorize disbursement over more than one fiscal year from the U.S. Department of Justice, Office on Violence Against Women, FY 2015 Transitional Housing Assistance Grant Program, Award #2015-WH-AX-0034, in the amount of three hundred fifty thousand dollars (\$350,000), a match in the amount of one hundred ten thousand dollars (\$110,000), and total program amount of four hundred sixty thousand dollars (\$460,000), during the project period of October 1, 2015 to September 30, 2018; to provide funding for transitional housing services in partnership with Catholic Charities of Omaha, the Domestic Violence Council (DVC), Family Housing Advisory Services (FHAS), and the Women’s Center for Advancement (WCA); to authorize payment from such grant funding and involving appropriations of more than one year in conformity with Section 5.17 of the Home Rule Charter; and, providing for the effective date hereof – [see attached](#).
(See Doc. # 1587 – December 15 Meeting)

CCID # 1587 – Public hearing was held today – Final reading set for January 12, 2016 pursuant to City Council Rule VII H.

76. Ord. to amend Section 23-177 of the Omaha Municipal Code concerning employment classifications by adding the employment classification entitled “Library Technology Specialist” with a salary range of 12.2 MC (\$47,727-\$58,423); to repeal Section 23-177 as heretofore existing; and to provide the effective date hereof – [see attached](#).
(See Doc. # 1588 – December 15 Meeting)

CCID # 1588 – Public hearing was held today – Final reading set for January 12, 2016 pursuant to City Council Rule VII H.

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“PURSUANT TO CITY COUNCIL RULE VII H DUE TO NO MEETINGS BEING HELD DECEMBER 29, 2015, JANUARY 5, 2016 AND JANUARY 19, 2016 THE THIRD READING AND PUBLIC HEARINGS ON AGENDA ITEM NO. 77 SHALL BE HELD ON JANUARY 26, 2016”

ZONING ORDINANCE ON FIRST READING and Planning Board Attachment

77. Ord. to rezone properties located at 520 and 600 South Saddle Creek Road from GI-General Industrial District to CC-Community Commercial District (properties are also located within an existing ACI-2(PL)-Area of Civic Importance Overlay District).

CCID # 1634 – Publication to be made and public hearing and third reading to be held on January 26, 2016 pursuant to City Council Rule VII H.

- (a) Planning Board and Planning Department recommend approval of a request to rezone properties located at 520 and 600 South Saddle Creek Road from GI to CC (property is also located within an existing ACI-2(PL)-Area of Civic Importance Overlay District) – [see attached](#).

1634 – Over to 1/26/16

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“PURSUANT TO CITY COUNCIL RULE VII H DUE TO NO MEETINGS BEING HELD DECEMBER 29, 2015 AND JANUARY 5, 2016 THE SECOND READING AND PUBLIC HEARINGS ON AGENDA ITEM NOS. 78 THROUGH 82 SHALL BE HELD ON JANUARY 12, 2016”

ORDINANCE ON FIRST READING and Planning Board Attachment

78. Ord. vacating the North/South alley bound on the West by Lots 32 – 34 of Paulsen’s Addition, bound on the North by Lake Street, bound on the East by Lot 31 of Paulsen’s Addition, and bound on the South by Lot 8, Block 1 of Idlewild Addition, containing approximately 1,188.50 square feet of the Southwest Quarter of the Southwest Quarter of Section 10-15-13, in the City of Omaha and providing the effective date hereof – [see attached](#).

CCID # 1637 – Publication to be made and public hearing to be held on January 12, 2016 pursuant to City Council Rule VII H.

- (a) Planning Board and Planning Department recommend approval of the vacation of the north/south alley between 22nd Street and 24th Street from Lake Street south 130 feet and east 26 feet – Inside City – [see attached](#).

1637 – Over to 1/12/16

ORDINANCES ON FIRST READING

79. Ord. approving a contract between the City of Omaha and Port-A-Johns for the collection of litter from City-Owned Litter/Recycle Receptacles, involving appropriations of more than one year in accordance with Section 5.17 of the Home Rule Charter of 1956, as amended; to provide for the terms and conditions under which Port-A-Johns will provide these services throughout the City of Omaha for a period of one (1) year, beginning January 1, 2016 to December 31, 2018 with the option of two separate and additional one (1) year terms, at a cost of \$114,270.75 per year to the City of Omaha, according to the terms and conditions contained within the Agreement; and to provide an effective date hereof – [see attached](#).

CCID # 1638 – Publication to be made and public hearing to be held on January 12, 2016 pursuant to City Council Rule VII H.

80. Ord. 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 Agreement with Holy Name Housing Corporation, a Nebraska Non-profit Corporation, 4324 Fort Street, Omaha, Nebraska 68111, to convey ten (10) properties in the Adams Park area as identified on Attachment “A” of the Agreement, for development of affordable single-family homes for the sum of One and No/100 Dollars (\$1.00); and to provide the effective date hereof – [see attached](#).

CCID # 1639 – Publication to be made and public hearing to be held on January 12, 2016 pursuant to City Council Rule VII H.

81. Ord. to amend Section 18-21 in Article III of Chapter 18 of the Omaha Municipal Code, entitled “Definitions,” to include an additional definition of “litter”; to amend 18-22 in Article III of Chapter 18 of the Omaha Municipal Code, entitled “Prohibited conditions,” to include a new subsection which prohibits uncontrolled or uncultivated growth of brush, vines, woody volunteers, or other such vegetation which (a) prohibit the city from abating an existing offense; (b) presents a serious health or safety risk to occupants, structures or the public; or (c) offers vector or rodent harborage; and to provide the effective date thereof – [see attached](#).

CCID # 1644 – Publication to be made and public hearing to be held on January 12, 2016 pursuant to City Council Rule VII H.

82. Ord. to amend Sections 22-23 and 22-63 of Chapter 22 of the Omaha Municipal Code to modify the definition of beneficiary to provide a process for both the City of Omaha Employees Retirement System and the City of Omaha Police and Fire Retirement System to objectively determine a next-of-kin when no beneficiary is identified; to amend Sections 22-51 and 22-96 of Chapter 22 of the Omaha Municipal Code to comply with changes in the law prior to requesting that the Internal Revenue Service issue favorable determination letters for both the City of Omaha Employees Retirement System and the City of Omaha Police and Fire Retirement System; to have a provision that allows non-spouse beneficiaries to rollover to an IRA any death benefit payable in a lump sum; to create Sections 22-56 and 22-101 of the Omaha Municipal Code to make clear that the board of trustees of both the City of Omaha Employees Retirement System and the City of Omaha Police and Fire Retirement System have broad discretionary authority to interpret the terms of each plan; and to provide an effective date – [see attached](#).

CCID # 1646 – Publication to be made and public hearing to be held on January 12, 2016 pursuant to City Council Rule VII H.

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EXECUTIVE SESSION

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

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Motion by Gernandt that the meeting be adjourned

Seconded by Gray

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

Motion Carried 7-0

ADJOURNED: 3:41 P.M.

I, BUSTER BROWN, 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 22, 2015.

WITNESS:

CITY CLERK

THE PROCEEDINGS OF THIS MEETING WERE PRESENTED TO MAYOR JEAN STOTHERT ON THE 23RD DAY OF DECEMBER, 2015