

20th REGULAR CITY COUNCIL MEETING

JUNE 21, 2016

THE CITY COUNCIL met in Regular Session on Tuesday, June 21, 2016 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 # 887 – Present: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President

2. Pledge of Allegiance.

3. Invocation by Councilmember Garry Gernandt of District No. 4.

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 June 17, 2016, notice re: Pre-Council and Regular City Council Meetings, June 21, 2016.

CCID # 888 – 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 approve a PUR-Planned Unit Redevelopment Overlay District in a R7-Medium-Density Multiple-Family Residential District (property is also located within an ACI-1(PL)-Area of Civic Importance Overlay District), located at 825 Park Avenue, to approve the Development Plan, and to provide for an effective date – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 816 – June 7 and June 14 Meetings)
Notice of public hearing on June 21, 2016 published in the Daily Record on June 10, 2016. Ordinance passed on June 21, 2016 published in the Daily Record on June 29, 2016.

Steven Held, 11506 Nicholas St., Uptown Properties LLC, appeared and spoke.

CCID # 816 – Motion by Jerram that the Ordinance be passed

Seconded by Festersen

ROLL CALL:

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

ORDINANCE # 40772 - PASSED 7-0

- (a) Planning Board and Planning Department recommend approval of a PUR-Planned Unit Redevelopment Overlay District in a R7 District (property is also located within an ACI-1(PL)-Area of Civic Importance Overlay District), located at 825 Park Avenue – [see attached](#).
(See Doc. # 816 – June 7 Meeting)

816 – From Chair on File

6. Res. that the preliminary plat entitled 825 PARK AVENUE, located at 825 Park Avenue, with a request for a waiver of Section 53-8(4)(a) of the Omaha Municipal Code for Lot depth, 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 6/7/16 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 817 – June 7 Meeting)

Steven Held, 11506 Nicholas St., Uptown Properties LLC, appeared and spoke.

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

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

RESOLUTION # 817 - ADOPTED 7-0

- (a) Planning Board and Planning Department recommend approval of the Preliminary Plat of 825 PARK AVENUE, with a waiver of Section 53-8(4)(a) of the Omaha Municipal Code for Lot depth, located at 825 Park Avenue – Inside City – over from 6/7/16 – [see attached](#).
(See Doc. # 817 – June 7 Meeting)

817 – From Chair on File

- 7. Res. that the replat transmitted herewith entitled 825 PARK AVENUE, located at 825 Park Avenue, is hereby approved, and concurrently a portion of the existing plat entitled Terrace Addition, and described on said replat, are hereby vacated – Inside City – over from 6/7/16 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 818 – June 7 Meeting)

Steven Held, 11506 Nicholas St., Uptown Properties LLC, appeared and spoke.

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

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

RESOLUTION # 818 - ADOPTED 7-0

- (a) Planning Board and Planning Department recommend approval of the Final Plat of 825 PARK AVENUE, located at 825 Park Avenue – Inside City – over from 6/7/16 – [see attached](#).
(See Doc. # 818 – June 7 Meeting)

818 – From Chair on File

- 8. Res. that, the Subdivision Agreement among the City of Omaha, Uptown Properties, LLC, a Nebraska limited liability company, and The Uptown Homeowners Association, as recommended by the Mayor, providing for sewer connection to the Omaha Sanitary Sewer System, is hereby approved. The Subdivision is to be known as 825 Park Avenue (Lots 1-5 and Outlot A) and is located at 825 Park Avenue – over from 6/7/16 – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 819 – June 7 Meeting)

Steven Held, 11506 Nicholas St., Uptown Properties LLC, appeared and spoke.

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

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

RESOLUTION # 819 - ADOPTED 7-0

9. Ord. to rezone property located Northwest of 69th and Pacific Streets from DR-Development Reserve District and CC-Community Commercial District to CC-Community Commercial District (property is also located within the flood fringe and floodway overlay districts). ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))

(See Doc. # 820 – June 7 and June 14 Meetings)

Notice of public hearing on June 21, 2016 published in the Daily Record on June 10, 2016. Ordinance passed on June 21, 2016 published in the Daily Record on June 29, 2016.

Mark Johnson, Fullenkamp, Doyle and Jobeun, 11440 West Center Rd., attorney representing 6920 Ventures, LLC, appeared and spoke.

CCID # 820 – Motion by Jerram that the Ordinance be passed

Seconded by Festersen

ROLL CALL:

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

ORDINANCE # 40773 - PASSED 7-0

10. Ord. to amend the boundaries of the ACI-2(65)-Area of Civic Importance Overlay District (property is also located within the flood fringe and floodway overlay districts), to incorporate into that district the property located Northwest of 69th and Pacific Streets; and to provide for an effective date – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))

(See Doc. # 821 – June 7 and June 14 Meetings)

Notice of public hearing on June 21, 2016 published in the Daily Record on June 10, 2016. Ordinance passed on June 21, 2016 published in the Daily Record on June 29, 2016.

Mark Johnson, Fullenkamp, Doyle and Jobeun, 11440 West Center Rd., attorney representing 6920 Ventures, LLC, appeared and spoke.

CCID # 821 – Motion by Jerram that the Ordinance be passed

Seconded by Festersen

ROLL CALL:

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

ORDINANCE # 40774 - PASSED 7-0

- (a) Planning Board and Planning Department recommend approval of a request to rezone property located Northwest of 69th and Pacific Streets from DR and CC to CC with approval of an ACI-2(65) Area of Civic Importance Overlay District (property is also located within the flood fringe and floodway overlay districts) – [see attached](#). (See Doc. # 821 – June 7 Meeting)

821 – From Chair on File

11. Res. that the preliminary plat entitled AKSARBEN POINTE, located Northwest of 69th and Pacific Streets, 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 6/7/16 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 822 – June 7 Meeting)

Mark Johnson, Fullenkamp, Doyle and Jobeun, 11440 West Center Rd., attorney representing 6920 Ventures, LLC, appeared and spoke.

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

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

RESOLUTION # 822 - ADOPTED 7-0

- (a) Planning Board and Planning Department recommend approval of the Preliminary Plat of AKSARBEN POINTE, located Northwest of 69th and Pacific Streets – Inside City – over from 6/7/16 – [see attached](#).
(See Doc. # 822 – June 7 Meeting)

822 – From Chair on File

12. Res. that the plat entitled AKSARBEN POINTE located Northwest of 69th and Pacific Streets, is hereby approved and accepted – Inside City – over from 6/7/16 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 823 – June 7 Meeting)

Mark Johnson, Fullenkamp, Doyle and Jobeun, 11440 West Center Rd., attorney representing 6920 Ventures, LLC, appeared and spoke.

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

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

RESOLUTION # 823 - ADOPTED 7-0

- (a) Planning Board and Planning Department recommend approval of the Final Plat of AKSARBEN POINTE, located Northwest of 69th and Pacific Streets – Inside City – over from 6/7/16 – [see attached](#).
(See Doc. # 823 – June 7 Meeting)

823 – From Chair on File

RESOLUTIONS RE: PRELIMINARY PLATS

13. Res. that the preliminary plat entitled COUNTRY CLUB OAKS REPLAT 5, located Southwest of 60th and State Streets, with a request for a waiver of Section 53-8(2)(g) of the Omaha Municipal Code for street design standards, 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 6/7/16 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 789 – June 7 Meeting)

Troy Meyerson, Fraser Stryker, 409 S. 17th St., representing the applicant, Keith Basham, appeared and spoke.

Motion by Festersen that the Resolution be adopted

Seconded by Thompson

ROLL CALL:

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

RESOLUTION # 789 - ADOPTED 7-0

- (a) Planning Board and Planning Department recommend approval of the Preliminary Plat of COUNTRY CLUB OAKS REPLAT 5, with a request for a waiver of Section 53-8(2)(g) of the Omaha Municipal Code for street design standards, located Southwest of 60th and State Streets – Inside City – over from 6/7/16 – [see attached](#).
(See Doc. # 789 – June 7 Meeting)

789 – From Chair on File

- (b) Communication supporting the preliminary plat of COUNTRY CLUB OAKS REPLAT 5, located Southwest of 60th and State Streets – [see attached](#).

789 – From Chair on File

- (c) Petition submitted by Troy Meyerson, attorney representing the applicant, supporting the preliminary plat of COUNTRY CLUB OAKS REPLAT 5, located Southwest of 60th and State Streets – [see attached](#).

789 – From Chair on File

14. Res. that the preliminary plat entitled STERLING RIDGE PHASE II, located South of Hickory Street between 127th and 129th Streets, 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 6/7/16 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 790 – June 7 Meeting)

Jim Buser, Pansing, Hogan, Ernst & Bachman, 10250 Regency Cir., representing Lockwood Development, appeared and spoke.

Motion by Thompson that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 790 - ADOPTED 7-0

- (a) Planning Board and Planning Department recommend approval of the Preliminary Plat of STERLING RIDGE PHASE II, located South of Hickory Street between 127th and 129th Streets – Inside City – over from 6/7/16 – [see attached](#).
(See Doc. # 790 – June 7 Meeting)

790 – From Chair on File

COUNCILMEMBER MELTON LEAVES THE LEGISLATIVE CHAMBERS

LIQUOR

15. CLASS “C” – Celebration of Life Enterprises, Inc., dba “Pan Asian Terrace”, 1201 South 157th Street, Suite A-1. New application, New location. Property posted: 06-03-16; Notification sent: 06-10-16 – [see attached](#). ((YOU HAVE YOUR HEARING ON THE APPLICATION BUT YOUR MOTION SHOULD BE TO ADOPT A RESOLUTION EITHER TO GRANT OR DENY))

Thomas Green II, Gnuse & Green Law, 11311 Chicago Cir., representing the applicant, appeared and spoke.

Motion by Festersen that the Resolution to GRANT be adopted

Seconded by Thompson

ROLL CALL:

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

RESOLUTION # 900 – ADOPTED 6-0

COUNCILMEMBER MELTON RE-ENTERS THE LEGISLATIVE CHAMBERS

16. CLASS “C” – Club Vibe, LLC, dba “Club Vibe”, 1901 Leavenworth Street. New application, New location. Property posted: 06-03-16; Notification sent: 06-10-16 – [see attached](#). ((YOU HAVE YOUR HEARING ON THE APPLICATION BUT YOUR MOTION SHOULD BE TO ADOPT A RESOLUTION EITHER TO GRANT OR DENY))

Jeremy Nicolls, 604 S. 22nd St., Club Vibe, LLC, appeared and spoke.

Application read

Motion by Jerram that the Resolution to GRANT be Adopted as Amended contingent upon their compliance with the City of Omaha Planning Department and proper permits obtained and a six-month review by the City Council Liquor Committee

Seconded by Festersen

ROLL CALL:

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

RESOLUTION # 901 – ADOPTED AS AMENDED 7-0

- (a) Communication from Michael W. Wilwerding, Chief Building Inspector, Permits & Inspection Division re: Club Vibe, LLC, dba “Club Vibe”, 1901 Leavenworth Street, for a Class “C” Liquor License – fence requirements – [see attached](#).

901 – From Chair on File

- (b) Communication from Jeremy Nicolls, Manager, Club Vibe, LLC, dba “Club Vibe”, 1901 Leavenworth Street, requesting to amend their liquor license application from a Class “C” Liquor License to a Class “I” Liquor License and to amend the Form 3b – Limited Liability Company (LLC) Insert – [see attached](#).

CCID # 901 – Motion by Jerram that the Amendment be approved

Seconded by Festersen

ROLL CALL:

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

Motion Carried 7-0

- (c) Communication opposing the application of Club Vibe, LLC, dba “Club Vibe”, 1901 Leavenworth Street, for a Class “C” Liquor License – [see attached](#).

901 – From Chair on File

17. Century-Omaha Hospitality, LLC, dba “Ramada Plaza Omaha”, 3321 South 72nd Street, requests permission to appoint Charise L. Stevens manager of their present Class “C” Liquor License location – [see attached](#). ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))

Charise Stevens, 7101 S. 83rd St., appeared and spoke.

CCID # 902 – Motion by Gernandt that the request be approved

Seconded by Festersen

ROLL CALL:

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

Motion Carried 7-0

18. Blazin Wings, Inc., dba “Buffalo Wild Wings 39”, 205 North 76th Street, requests permission to appoint Jeffrey Elafros manager of their present Class “I” Liquor License location – [see attached](#). ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))

Jeffrey Elafros, Buffalo Wild Wings, 205 N. 76th St., appeared and spoke.

CCID # 903 – Motion by Festersen that the request be approved

Seconded by Melton

ROLL CALL:

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

Motion Carried 7-0

19. Spencer’s For Steaks and Chops, LLC, dba “Spencer’s For Steaks and Chops”, 102 South 10th Street, requests permission to appoint Heather L. Rutledge manager of their present Class “I” Liquor License location – [see attached](#). ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))

Heather Rutledge, Spencer’s For Steaks and Chops, 102 S. 10th St., appeared and spoke.

CCID # 904 – Motion by Jerram that the request be approved

Seconded by Festersen

ROLL CALL:

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

Motion Carried 7-0

20. Shopko Stores Operating Co., LLC, dba “Shopko #56”, 14445 West Center Road, requests permission to appoint Ian J. Butler manager of their present Off Sale Beer License location – [see attached](#). ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))

Ian Butler, 6030 S. 193rd Ave., appeared and spoke.

CCID # 905 – Motion by Thompson that the request be approved

Seconded by Festersen

ROLL CALL:

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

Motion Carried 7-0

21. TFL, Inc., dba “Mega Saver”, 2014 “L” Street, requests permission to appoint Tahmina Samiev manager of their present Package Liquor License location – [see attached](#). ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))

Tahmina Samiev, Mega Saver, 2014 L St., appeared and spoke.

CCID # 906 – Motion by Gernandt that the request be approved

Seconded by Festersen

ROLL CALL:

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

Motion Carried 7-0

22. TFL, Inc., dba “Mega Saver”, 10780 “Q” Street, requests permission to appoint Kamol Samiev manager of their present Package Liquor License location – [see attached](#). ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))

Kamol Samiev, 12917 Binney St., appeared and spoke.

CCID # 907 – Motion by Gernandt that the request be approved

Seconded by Festersen

ROLL CALL:

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

Motion Carried 7-0

23. TFL, Inc., dba “Mega Saver”, 3402 South 42nd Street, requests permission to appoint Kamol Samiev manager of their present Package Liquor License location – [see attached](#). ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))

Kamol Samiev, 12917 Binney St., appeared and spoke.

CCID # 908 – Motion by Gernandt that the request be approved

Seconded by Festersen

ROLL CALL:

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

Motion Carried 7-0

24. TFL, Inc., dba “Mega Saver”, 8928 Maple Street, requests permission to appoint Kamol Samiev manager of their present Package Liquor License location – [see attached](#). ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))

Kamol Samiev, 12917 Binney St., appeared and spoke.

CCID # 909 – Motion by Gernandt that the request be approved

Seconded by Festersen

ROLL CALL:

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

Motion Carried 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. 25 through 36 were held on June 14, 2016.)

CONSENT AGENDA – ORDINANCES

25. Ord. vacating the twenty foot wide north-south alley abutting lots 1 through 5, inclusive, Block 299, Original City of South Omaha, a subdivision, as surveyed, platted and recorded in Douglas County, Nebraska, from the north line of “H” Street to the north line of said Block 299, together with that portion of “H” Street not previously vacated from the south line of said Block 299 to the north line of Block 310, Original City of South Omaha abutting that portion vacated in Ordinance Number 1922 on February 2, 1910 on the west and that portion vacated in Ordinance Number 16903 on March 27, 1951 on the east, and also together with the twenty foot wide north-south alley abutting lots 1 through 14, inclusive, Block 310, Original City of Omaha, a subdivision, as surveyed, platted and recorded in Douglas County, from the north line of “I” Street to the south line of “H” Street and providing the effective date hereof – [see attached](#).

(See Doc. # 824 – June 7 and June 14 Meetings)

Notice of public hearing on June 14, 2016 published in the Daily Record on June 10, 2016. Ordinance passed on June 21, 2016 published in the Daily Record on June 29, 2016.

CCID # 824 – Motion by Jerram that the Ordinance be passed

Seconded by Gernandt

ROLL CALL:

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

ORDINANCE # 40775 - PASSED 7-0

- (a) Planning Board and Planning Department recommend approval of the vacation of the north/south alley between 34th Street and 35th Street from “I” Street to “H” Street, in addition to a 20 foot wide strip of “H” Street not previously vacated – Inside City – [see attached](#).
(See Doc. # 824 – June 7 and June 14 Meetings)

824 – From Chair on File

26. Ord. to accept the bid from M & A Enterprises, Incorporated for mowing of the Missouri River Flood Levee in the amount of \$19,975.00 per year, for a term from June 1, 2016 to December 1, 2017 with an option by the City of Omaha to extend for two (2) additional one (1) year periods; 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. # 825 – June 7 and June 14 Meetings)
Notice of public hearing on June 14, 2016 published in the Daily Record on June 10, 2016. Ordinance passed on June 21, 2016 published in the Daily Record on June 29, 2016.

CCID # 825 – Motion by Jerram that the Ordinance be passed

Seconded by Gernandt

ROLL CALL:

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

ORDINANCE # 40776 - PASSED 7-0

27. Ord. to amend Omaha Municipal Code Sec. 31-3 regarding private sewer connection lines; to require owners to repair private sewer connection lines; to provide for the assessment of the City's costs of repair upon the failure of the owner to repair; to repeal Sec. 31-3 as heretofore existing; and to provide the effective date thereof – [see attached](#).
(See Doc. # 826 – June 7 and June 14 Meetings)
Notice of public hearing on June 14, 2016 published in the Daily Record on June 10, 2016. Ordinance passed on June 21, 2016 published in the Daily Record on June 29, 2016.

CCID # 826 – Motion by Jerram that the Ordinance be passed

Seconded by Gernandt

ROLL CALL:

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

ORDINANCE # 40777 - PASSED 7-0

28. Ord. approving a redevelopment and tax increment financing loan agreement between the City of Omaha and NS-Yard Apts, LLC, a Nebraska limited liability company, to implement the Yard Apartments Tax Increment Financing (TIF) Redevelopment Project Plan for a site located at 1415 Cuming Street, which proposes the new construction of a five-story, mixed-use structure consisting of 107 market rate apartments, approximately 5,890 square feet of leasable commercial space, in addition to 68 structured and 39 surface parking stalls for residents and patrons of the commercial space; the agreement authorizes the use of up to \$1,912,900.00 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. # 827 – June 7 and June 14 Meetings)

Notice of public hearing on June 14, 2016 published in the Daily Record on June 10, 2016. Ordinance passed on June 21, 2016 published in the Daily Record on June 29, 2016.

CCID # 827 – Motion by Jerram that the Ordinance be passed

Seconded by Gernandt

ROLL CALL:

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

ORDINANCE # 40778 - PASSED 7-0

29. Ord. approving a redevelopment and tax increment financing loan agreement between the City of Omaha and Highlander Phase 1, LLC, a Nebraska limited liability company and Highlander Phase 1 Market, LLC a Nebraska limited liability company, to implement the Highlander 75 North Phase I Tax Increment Financing (TIF) Redevelopment Project Plan for a redevelopment site generally bounded by Patrick Street to the north, 29th Street to the east, Parker Street to the south and the Pleasant Hill Cemetery to the west which proposes a residential redevelopment consisting of 101 mixed-income multi-family units; the agreement authorizes the use of up to \$1,200,000.00 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. # 828 – June 7 and June 14 Meetings)

Notice of public hearing on June 14, 2016 published in the Daily Record on June 10, 2016. Ordinance passed on June 21, 2016 published in the Daily Record on June 29, 2016.

CCID # 828 – Motion by Jerram that the Ordinance be passed

Seconded by Gernandt

ROLL CALL:

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

ORDINANCE # 40779 - PASSED 7-0

30. Ord. approving a redevelopment and tax increment financing loan agreement between the City of Omaha and 6920 Ventures, LLC, a Nebraska limited liability company and Northwest I-680, LLC, a Nebraska limited liability company, as tenants-in-common, to implement the Aksarben Pointe Tax Increment Financing (TIF) Redevelopment Project Plan for a site located at 6920, 6940 and 6940 1/2 Pacific Street which proposed the demolition of the former Venice Inn structure, and the new construction of a one-story, commercial structure consisting of approximately 12,000 square feet for three (3) tenant spaces for restaurants, shop owners, business owners and entrepreneurs; the agreement authorizes the use of up to \$272,230.00 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. # 829 – June 7 and June 14 Meetings)
Notice of public hearing on June 14, 2016 published in the Daily Record on June 10, 2016. Ordinance passed on June 21, 2016 published in the Daily Record on June 29, 2016.

CCID # 829 – Motion by Jerram that the Ordinance be passed

Seconded by Gernandt

ROLL CALL:

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

ORDINANCE # 40780 - PASSED 7-0

31. 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 Real Estate Purchase Agreement with Toni C. Rahn, 3719 N. 40th Street, Omaha, Nebraska 68111, to convey the property described in the attached agreement, located at 3715 N. 40th Street, in consideration of the sum of Eight Hundred and 00/100 Dollars (\$800.00); there are no expenses associated with the transfer of the property to Toni C. Rahn; and to provide the effective date hereof – [see attached](#).
(See Doc. # 830 – June 7 and June 14 Meetings)
Notice of public hearing on June 14, 2016 published in the Daily Record on June 10, 2016. Ordinance passed on June 21, 2016 published in the Daily Record on June 29, 2016.

CCID # 830 – Motion by Jerram that the Ordinance be passed

Seconded by Gernandt

ROLL CALL:

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

ORDINANCE # 40781 - PASSED 7-0

32. Ord. to accept the bid from Turfwerks in the annual amount of \$24,782.00 per year to lease two (2) Jacobson HR700, 5hp Kupbota, 14' cut from Turfwerks, single source distributor, for Golf Division of the Parks, Recreation and Public Property Department, for (5) five years beginning June 1, 2016 through April 30, 2021 for a total amount of \$123,910.00; and to provide an effective date – [see attached](#).

(See Doc. # 831 – June 7 and June 14 Meetings)

Notice of public hearing on June 14, 2016 published in the Daily Record on June 10, 2016. Ordinance passed on June 21, 2016 published in the Daily Record on June 29, 2016.

CCID # 831 – Motion by Jerram that the Ordinance be passed

Seconded by Gernandt

ROLL CALL:

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

ORDINANCE # 40782 - PASSED 7-0

33. Ord. to provide for approving a contract involving appropriations of more than one year in conformity with Section 5.17 of the Home Rule Charter with Merchants Credit Adjusters, Inc. for collection of delinquent account recovery services; and to provide for the effective date hereof – [see attached](#).

(See Doc. # 835 – June 7 and June 14 Meetings)

Notice of public hearing on June 14, 2016 published in the Daily Record on June 10, 2016. Ordinance passed on June 21, 2016 published in the Daily Record on June 29, 2016.

CCID # 835 – Motion by Jerram that the Ordinance be passed

Seconded by Gernandt

ROLL CALL:

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

ORDINANCE # 40783 - PASSED 7-0

34. Ord. transferring funds from unencumbered balances in the 2015 General Fund Budget of the City of Omaha in accordance with Section 5.10 of the Home Rule Charter of the City of Omaha, 1956, as amended, and to fix the effective date hereof to be immediately upon passage in accordance with Section 2.12 of the Home Rule Charter of the City of Omaha, 1956, as amended (2015 Year-End Closing) – [see attached](#).

(See Doc. # 832 – June 7 and June 14 Meetings)

Notice of public hearing on June 14, 2016 published in the Daily Record on June 10, 2016. Ordinance passed on June 21, 2016 published in the Daily Record on June 29, 2016.

CCID # 832 – Motion by Jerram that the Ordinance be passed

Seconded by Gernandt

ROLL CALL:

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

ORDINANCE # 40784 - PASSED 7-0

35. Ord. to amend Section 23-177 of the Omaha Municipal Code by changing the salary for the employment classification known as Automotive Mechanic from a pay range of \$19.65 to \$23.86 to a pay range of \$21.18 to \$26.44; to repeal Section 23-177 as heretofore existing; and to provide the effective date hereof – [see attached](#).

(See Doc. # 833 – June 7 and June 14 Meetings)

Notice of public hearing on June 14, 2016 published in the Daily Record on June 10, 2016. Ordinance passed on June 21, 2016 published in the Daily Record on June 29, 2016.

CCID # 833 – Motion by Jerram that the Ordinance be passed

Seconded by Gernandt

ROLL CALL:

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

ORDINANCE # 40785 - PASSED 7-0

36. Ord. to amend Section 23-177 of the Omaha Municipal Code by changing the salary for the employment classification known as Aviation Mechanic from a pay range of \$24.02 to \$29.05 to a pay range of \$24.53 to \$31.05; to repeal Section 23-177 as heretofore existing; and to provide the effective date hereof – [see attached](#).

(See Doc. # 834 – June 7 and June 14 Meetings)

Notice of public hearing on June 14, 2016 published in the Daily Record on June 10, 2016. Ordinance passed on June 21, 2016 published in the Daily Record on June 29, 2016.

CCID # 834 – Motion by Jerram that the Ordinance be passed

Seconded by Gernandt

ROLL CALL:

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

ORDINANCE # 40786 - PASSED 7-0

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

* * * * *

(The public hearings on Agenda Item Nos. 37 through 44 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

37. Res. that, as recommended by the Mayor, the contract with L.G. Roloff Construction Company for OPW 52813 (SP93-09A), being the 84th Street, Pacific Street to Dodge Street Project, is hereby approved; and that, the Finance Department is authorized to pay the cost of \$4,196,833.65 for OPW 52813 (SP93-09A), from the 2010 Transportation Bond Fund 13183, Transportation Bonds Organization 117117, year 2016 expenditures. MUD will contribute 663,327.55 to this project making the City's estimated cost \$3,533,506.10 – [see attached](#).

Motion by Festersen that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 889 - ADOPTED 7-0

38. Res. that, as recommended by the Mayor, the contract with TIJ Construction, LLC for OPW 52922, being the Southeast Joint Use Facility Addition and Renovation at 5225 Dayton Street Project, is hereby approved; and that, the Finance Department is authorized to pay the cost of \$669,669.00 for OPW 52922 from the Street and Highway Allocation Fund 12131, Construction Organization 116121, year 2016 expenditures – [see attached](#).

Motion by Festersen that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 890 - ADOPTED 7-0

39. Res that, as recommended by the Mayor, the Professional Services Agreement with HDR Engineering, Inc. for professional engineering services associated with OPW 52708, being the Papillion Creek Wastewater Treatment Plant Digester Gas Cogeneration System Upgrade Project, is hereby approved; and that, the Finance Department is authorized to pay HDR Engineering, Inc. a fee not to exceed \$389,866.00 for these professional engineering services from the Sewer Revenue Improvements Fund 21124, Sewer Separation Organization 116912 – [see attached](#).

Motion by Festersen that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 891 - ADOPTED 7-0

40. Res. that, as recommended by the Mayor, the Professional Services Agreement with JEO Consulting Group, Inc. for developing a wastewater facility plan (report) for OPW 52982, being the Elkhorn Wastewater Treatment Facility Plan Project, is hereby approved; and that the Finance Department is authorized to pay a fee not to exceed \$69,410.00 for these services from the Sewer Revenue Improvements Fund 21124, and Sewer Separation Organization 116912 – [see attached](#).

Motion by Festersen that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 898 - ADOPTED 7-0

41. Res. as recommended by the Mayor, the attached Agreement between the City of Omaha and Sheltering Tree, Inc., a Nebraska 501(c)(3) non-profit corporation (51% owner); J. Development, L.L.C., a Nebraska Limited Liability company (49% owner); 7400 Military Avenue, L.L.C., a Nebraska Limited Liability company; and James Royer and Julie Stavneak, authorized representatives, 7400 Military Avenue, Omaha, Nebraska 68134, has submitted an application to the City of Omaha for funding assistance to construct a new single-story building located at 7400 Military Avenue with 24 units consisting of 20 one-bedroom units for developmentally disabled adults and 4 manager units (2 studio part-time manager units and (2) two-bedroom full-time manager units), a community room with a full kitchen, access to green space with vegetable gardens, a theatre/movie room, a fitness center and on-site laundry facilities. Six (6) of the one-bedroom units will be considered floating HOME-assisted units and each will be occupied, as their principal place of residence throughout the Affordability Period, by a qualified household whose initial annual household income is at or below 80% of the Median Income by Family Size (MFI) (4 units) and 50% of the Median Income by Family Size (2 units) is hereby approved. Funding in the amount of \$250,000.00 shall be payable from the FY 2013 HOME Program Fund No. 12179 Organization No. 128071. Occupancy and marketing of the units will be targeted to individuals with developmental disabilities and financed from \$250,000.00 of City HOME program funds and other private and public funds – [see attached](#).

Motion by Festersen that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 911 - ADOPTED 7-0

42. Res. that, as recommended by the Mayor, the bid in the total amount of \$168,294.16 from Odeys, Inc., to renovate Isaacson Field at Seymour Smith Park, 6802 Harrison Street, being the best bid received within bid specifications, attached hereto and made a part hereof, is hereby accepted. The work includes, but is not limited to, irrigation, grading, warning track, conditioner, and sod. The Purchasing Agent is authorized to issue a purchase order in conformance herewith. Funds in the amount of \$168,294.14 shall be paid from the 2010 Parks and Recreation Bond Fund No. 13355 and Organization No. 117317, Parks and Cultures Bond, for the 2016 fiscal year – [see attached](#).

Motion by Festersen that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 892 - ADOPTED 7-0

43. Res. that, as recommended by the Mayor, the proposal in the total amount of \$22,500.00 from Big Muddy Workshop, Inc., to develop a master plan for future park and water quality basin, northwest of 204th and F Streets, attached hereto and made a part hereof, is hereby accepted. The work includes, but is not limited to, developing a master plan for future park surrounding and adjacent to the Papio-Missouri River Natural Resources District future water quality basic/future wetlands. The Purchasing Agent is authorized to issue a purchase order in conformance herewith. Funds in the amount of \$22,500.00 shall be paid from the Park Development/Community Park Fees Fund No. 12135 and Organization No. 132026, Culture and Parks, for the 2016 fiscal year – [see attached](#).

Motion by Festersen that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 893 - ADOPTED 7-0

44. Res. that, the appointment by the Honorable Mayor Jean Stothert of Greg S. Cutchall, of Cutchall Management Company, to be a member of the Downtown Business Improvement Area Board to serve from June 24, 2016 until his term shall expire on June 23, 2021, is hereby confirmed by the City Council – [see attached](#).

Motion by Festersen that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 916 - ADOPTED 7-0

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

* * * * *

**“PURSUANT TO CITY COUNCIL RULE VII D
THE PUBLIC HEARINGS ON AGENDA ITEM NOS. 45
THROUGH 59 SHALL BE HELD ON THE THIRD READING”**

ZONING ORDINANCES ON SECOND READING

45. Ord. to rezone the property located at 128 Cedar Street from GI-General Industrial District to R4-Single-Family Residential District (high density).
(See Doc. # 857 – June 14 Meeting)

CCID # 857 – ORDINANCE ON SECOND READING – Final reading to be held June 28, 2016 as per City Charter requirements.

46. Ord. to rezone property located Northwest of 24th and Cuming Streets from R7-Medium-Density Multiple-Family Residential District, CC-Community Commercial District and GI-General Industrial District to CC-Community Commercial District.
(See Doc. # 858 – June 14 Meeting)

CCID # 858 – ORDINANCE ON SECOND READING – Final reading to be held June 28, 2016 as per City Charter requirements.

47. Ord. to amend the boundaries of the ACI-1(PL) District of the Area of Civic Importance Overlay District, to incorporate into that district the property located Northwest of 24th and Cuming Streets; and to provide for an effective date – [see attached](#).
(See Doc. # 859 – June 14 Meeting)

CCID # 859 – ORDINANCE ON SECOND READING – Final reading to be held June 28, 2016 as per City Charter requirements.

48. Ord. to adopt a PK-Parking Overlay District in a R4(35)-Single-Family Residential District (high density) located at 820, 824 and 826 South 41st Street, to approve the Parking Plan, and to provide for an effective date – [see attached](#).
(See Doc. # 862 – June 14 Meeting)

CCID # 862 – ORDINANCE ON SECOND READING – Final reading to be held June 28, 2016 as per City Charter requirements.

49. Ord. to rezone property located Southeast of 49th and Dodge Streets from GC-General Commercial District to R8-High-Density Multiple-Family Residential District (property also located within an existing ACI-2(50) Overlay District).
(See Doc. # 863 – June 14 Meeting)

CCID # 863 – ORDINANCE ON SECOND READING – Final reading to be held June 28, 2016 as per City Charter requirements.

50. Ord. to approve a PUR-Planned Unit Redevelopment Overlay District in a R8-High-Density Multiple-Family Residential District located Southeast of 49th and Dodge Streets, to approve the Development Plan, and to provide for an effective date – [see attached](#).
(See Doc. # 864 – June 14 Meeting)

CCID # 864 – ORDINANCE ON SECOND READING – Final reading to be held June 28, 2016 as per City Charter requirements.

51. Ord. to rezone the property located at 4210 Ohio Street from R4(35)-Single-Family Residential District (high density) to R4-Single-Family Residential District (high density).
(See Doc. # 867 – June 14 Meeting)

CCID # 867 – ORDINANCE ON SECOND READING – Final reading to be held June 28, 2016 as per City Charter requirements.

52. Ord. to amend the boundaries of the MCC-Major Commercial Corridor Overlay District, to incorporate into that district the property located at 5638 Center Street; and to provide for an effective date – [see attached](#).
(See Doc. # 868 – June 14 Meeting)

CCID # 868 – ORDINANCE ON SECOND READING – Final reading to be held June 28, 2016 as per City Charter requirements.

53. Ord. to rezone property located at 6105 Weir Street from DR-Development Reserve District and GI-General Industrial District to GI-General Industrial District (property is located within the Flood Fringe Overlay District).
(See Doc. # 869 – June 14 Meeting)

CCID # 869 – ORDINANCE ON SECOND READING – Final reading to be held June 28, 2016 as per City Charter requirements.

54. Ord. to amend the boundaries of the MCC-Major Commercial Corridor Overlay District, to incorporate into that district the property located at 6401 Sorensen Parkway; and to provide for an effective date – [see attached](#).
(See Doc. # 870 – June 14 Meeting)

CCID # 870 – ORDINANCE ON SECOND READING – Final reading to be held June 28, 2016 as per City Charter requirements.

55. Ord. to rezone property located Northwest of 124th Plaza and West Dodge Road from MU-Mixed Use District to R7-Medium-Density Multiple-Family Residential District (property is also located within an existing ACI-4(PL) Overlay District).
(See Doc. # 871 – June 14 Meeting)

CCID # 871 – ORDINANCE ON SECOND READING – Final reading to be held June 28, 2016 as per City Charter requirements.

56. Ord. to rezone the property located at 2617 North 138th Street from R3-Single-Family Residential District (medium density) to R4-Single-Family Residential District (high density).
(See Doc. # 872 – June 14 Meeting)

CCID # 872 – ORDINANCE ON SECOND READING – Final reading to be held June 28, 2016 as per City Charter requirements.

57. Ord. to rezone properties located Northwest of 204th and “F” Streets from AG-Agricultural District to DR-Development Reserve District.
(See Doc. # 873 – June 14 Meeting)

CCID # 873 – ORDINANCE ON SECOND READING – Final reading to be held June 28, 2016 as per City Charter requirements.

58. Ord. to rezone properties located Northwest of 204th and “F” Streets from AG-Agricultural District to R4-Single-Family Residential District (high density).
(See Doc. # 874 – June 14 Meeting)

CCID # 874 – ORDINANCE ON SECOND READING – Final reading to be held June 28, 2016 as per City Charter requirements.

59. Ord. to rezone property located Northwest of 204th and “F” Streets from AG-Agricultural District to R5-Urban Family Residential District.
(See Doc. # 875 – June 14 Meeting)

CCID # 875 – ORDINANCE ON SECOND READING – Final reading to be held June 28, 2016 as per City Charter requirements.

* * * * *

ORDINANCES ON SECOND READING

60. Ord. approving a redevelopment and tax increment financing loan agreement between the City of Omaha and Mayberry 51, LLC, a Nebraska limited liability company, to implement the Mayberry 51 Tax Increment Financing (TIF) Redevelopment Project Plan for a site located at the northwest corner of 51st and Mayberry Streets which proposes the redevelopment of an approximately 3.4 acre site into four, new multi-family structures with a total of 193 market-rate units over parking, and parking; the agreement authorizes the use of up to \$2,740,000.00 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](#). ((PUBLIC HEARING TODAY))
(See Doc. # 878 – June 14 Meeting)

Bridget Hadley, Planning Department, appeared and spoke.

CCID # 878 – Public hearing was held today – Final reading set for June 28, 2016 as per City Charter requirements.

61. Ord. approving a redevelopment and tax increment financing loan agreement between the City of Omaha and Omaha Economic Development Corporation, a Nebraska corporation, to implement the Fair Deal Village MarketPlace Tax Increment Financing (TIF) Redevelopment Project Plan, for a project site located at 2118 North 24th Street, which proposes a commercial space comprised of approximately 14 reclaimed and re-purposed shipping containers to create 1,600 square feet of affordable retail space in addition to an adjoining, newly constructed, one-story 3,400 square foot commercial structure consisting of space for a 1,800 square foot small, healthy grocery store and a 1,600 square foot re-envisioned Fair Deal Café; the agreement authorizes the use of up to \$194,980.00 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](#). ((PUBLIC HEARING TODAY))
(See Doc. # 879 – June 14 Meeting)

Bridget Hadley, Planning Department, appeared and spoke.

CCID # 879 – Public hearing was held today – Final reading set for June 28, 2016 as per City Charter requirements.

62. Ord. approving a redevelopment and tax increment financing loan agreement between the City of Omaha, a Nebraska Municipal Corporation in Douglas County, Nebraska, and Uptown Properties, LLC, a Nebraska limited liability company, to implement the Uptown District Tax Increment Financing (TIF) Redevelopment Project Plan for a redevelopment plan area generally bounded by Park Avenue on the east, Dewey Avenue and Turner Boulevard on the north, 33rd Street on the west and south to Woolworth Avenue which proposes the construction of 96 mostly three-story row houses, spread over 11 separate non-contiguous project sites, and developed in four separate phases; the agreement authorizes the use of up to \$4,305,000.00 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](#). ((PUBLIC HEARING TODAY))
(See Doc. # 880 – June 14 Meeting)

THE FOLLOWING PERSONS APPEARED AND SPOKE:

PROPOSERS: Steven Held, Uptown Properties LLC, 11506 Nicholas St.

FOR THE CITY: Bridget Hadley, Planning Department

CCID # 880 – Public hearing was held today – Final reading set for June 28, 2016 as per City Charter requirements.

63. Ord. to approve a contract between the City of Omaha and the Elkhorn Public Schools for the City to provide, through its assignment, one uniformed police officer and a marked police car to the premises of Elkhorn High School, located at 711 Veterans Drive, involving appropriations of more than one fiscal year in conformity with Section 5.17 of the Home Rule Charter, to perform police work at the District property each day that school is in session during the regular school year ½ hour prior to the start of classes until ½ hour after classes are dismissed, not to exceed a 7.5 hour school day, from August 17, 2016 and ending at the close of the 2018 - 2019 school year. The reimbursement payment from the Elkhorn Public Schools to the City will be in the amount of \$163,846.80 for the officer; and to provide for an effective date hereof – [see attached](#). ((PUBLIC HEARING TODAY))
(See Doc. # 881 – June 14 Meeting)

Michael McGee, Omaha Police Department, appeared and spoke.

CCID # 881 – Public hearing was held today – Final reading set for June 28, 2016 as per City Charter requirements.

APPEAL RE: BID REJECTION

64. Joaquin Segl, representing PEEK Traffic Corporation, appeals the rejection of their bid of May 25, 2016 for the “Traffic Signal Controller Local Software for MAPA-28(116)” Project – [see attached](#). ((PUBLIC HEARING TODAY – MOTION NEEDED TO ALLOW OR DENY THE APPEAL, AND IF ALLOWED, DIRECT THE DEPARTMENT ACCORDINGLY))

CCID # 894 – Motion by Melton that the appeal be denied

Seconded by Gernandt

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President
Motion Carried 7-0

**“PURSUANT TO CITY COUNCIL RULE VII C
THE PUBLIC HEARINGS ON AGENDA ITEM NOS. 65
THROUGH 73 SHALL BE HELD ON THE SECOND READING”**

ORDINANCE ON FIRST READING and Planning Board Attachment

65. Ord. vacating a portion of 11th Street right-of-way lying in Douglas County, Nebraska being more particularly described as an area to commence at the Northeast corner of Lot 8, Block 221, City of Omaha, a subdivision as surveyed, platted and recorded in Douglas County, Nebraska; thence South 02°10'01" East along the East line of said Lot 8, a distance of 30.00 feet to the point of beginning; thence North 87°49'56" East, a distance of 100.00 feet to a point on the West line of Lot 5, Block 220, City of Omaha; thence South 02°10'01" East along said West line of Lot 5, a distance of 57.01 feet; thence South 87°49'31" West, a distance of 100.00 feet to a point on the aforesaid East line of Lot 8; thence North 02°10'01" West along said East line of Lot 8, a distance of 57.03 feet to the point of beginning, containing 5702 square feet, more or less; and providing the effective date hereof – [see attached](#).

CCID # 895 – Publication to be made and public hearing to be held on June 28, 2016 as per City Charter requirements.

- (a) Planning Board and Planning Department recommend approval of the vacation of that part of 11th Street lying north of that part of vacated 11th Street (Ord. 40525) north approximately 57.03 feet (north of Mason Street) – Inside City – [see attached](#).

895 – Over to 6/28/16

ORDINANCES ON FIRST READING

66. Ord. approving the Combined Sewer Overflow Grant Award Contract between the City of Omaha and the Nebraska Department of Natural Resources to finance the construction of combined sewer separations and their related water quality improvement projects as a part of the City of Omaha's Combined Sewer Overflow Long Term Control Plan within the Omaha regional sanitary sewerage system; to provide for reimbursements 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](#).

CCID # 896 – Publication to be made and public hearing to be held on June 28, 2016 as per City Charter requirements.

67. 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 Real Estate Purchase Agreement with Nathaniel Crump III, 2215 N. 33rd Avenue, Omaha, NE 68111, to sell the property described in the attached agreement, located at 2211 N. 33rd Avenue in consideration of the sum of Seven Hundred and 00/100 Dollars (\$700.00); there are no expenses associated with the transfer of the property to Mr. Crump; and to provide the effective date hereof – [see attached](#).

CCID # 899 – Publication to be made and public hearing to be held on June 28, 2016 as per City Charter requirements.

68. Ord. in accordance with Section 5.10 of the Home Rule Charter of the City of Omaha, 1956, as amended, to transfer \$91,169 in unencumbered appropriations in the 2016 Budget of the City of Omaha from the Human Resources Department to the Public Works Department (Street & Highway Allocation Fund-12131) for the purpose of moving the budget funding for a Safety Inspector; and to fix the effective date hereof to be immediately upon passage in accordance with Section 2.12 of the Home Rule Charter of the City of Omaha, 1956, as amended – [see attached](#).

CCID # 910 – Publication to be made and public hearing to be held on June 28, 2016 as per City Charter requirements.

69. Ord. to approve an Amendment to Agreement between the City of Omaha and Alegent Creighton Health, a Nebraska non-profit corporation, to provide for an extension of the Agreement that established an Employee Assistance Program (EAP) for an additional period of three years at a cost for the first year of seven dollars and fifty-eight cents (\$7.58) per employee per year; with the cost to increase in years two and three in the amounts of the Consumer Price Index; such funds to be paid from Fund 11111, Organization 105011, Account No. 42239; and to provide an effective date hereof – [see attached](#).

CCID # 912 – Publication to be made and public hearing to be held on June 28, 2016 as per City Charter requirements.

70. Ord. to amend Section 23 - 177 of the Omaha Municipal Code by changing the salaries for the employment classifications known as Civil Engineer I from 16.1 MC (\$58,155 to \$71,126) to 18.3MC (\$63,046 to \$77,496), Civil Engineer II from 20.1 MC (\$67,177 to \$81,693) to 22.4 MC (\$72,689 to \$91,299), Civil Engineer III from 23.2 MC (\$75,301 to \$93,026) to 26.2 MC (\$83,342 to \$104,745), Civil Engineer IV from 26.2 MC (\$83,342 to \$104,745) to 29.2 MC (\$94,671 to \$118,146); to repeal Section 23 - 177 as heretofore existing; and to provide the effective date hereof – [see attached](#).

CCID # 897 – Publication to be made and public hearing to be held on June 28, 2016 as per City Charter requirements.

71. Ord. to approve a lease agreement between the City of Omaha and Capitol District Parking, L.L.C., for the lease of certain premises adjacent to Interstate 480 and located between 8th and 10th Streets, north of Capitol Avenue, beginning June 1, 2017, or earlier upon proper notice by Capitol District Parking, in the amount of approximately \$5,280.00 per year; and to provide an effective date – see attached.

CCID # 913 – Publication to be made and public hearing to be held on June 28, 2016 as per City Charter requirements.

72. Ord. to approve an air space lease agreement between the City of Omaha and the Department of Roads of the State of Nebraska for the lease of certain premises beneath Interstate 480 located between 8th and 10th Streets and north of Capitol Avenue beginning June 1, 2016 in the amount of approximately \$2,880.00 per year; to authorize the payments specified therein; and to provide an effective date – see attached.

CCID # 914 – Publication to be made and public hearing to be held on June 28, 2016 as per City Charter requirements.

73. Ord. to approve the sublease of two air space lease agreements between the City of Omaha and the Department of Roads of the State of Nebraska with Capitol District Parking, LLC for certain premises located adjacent to the Capitol District, specifically property northwest of 10th and Davenport Streets, commonly known as “Lot E” and property between 8th and 10th Street, north of Capitol Avenue, beginning June 1, 2017, or earlier upon proper notice by Capitol District Parking, in the amount of approximately \$15,167.00 and \$2,880.00 per year respectively; and to provide an effective date – see attached.

CCID # 915 – Publication to be made and public hearing to be held on June 28, 2016 as per City Charter requirements.

* * * * *

EXECUTIVE SESSION

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

* * * * *

Motion by Jerram that the meeting be adjourned

Seconded by Festersen

ROLL CALL:

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

Motion Carried 7-0

ADJOURNED: 2:40 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 June 21, 2016.

WITNESS:

s/Sherri Brown

s/Buster Brown
CITY CLERK

THE PROCEEDINGS OF THIS MEETING WERE PRESENTED TO MAYOR JEAN STOTHERT ON THE 23RD DAY OF JUNE, 2016.