

24TH REGULAR CITY COUNCIL MEETING

JULY 26, 2016

THE CITY COUNCIL met in Regular Session on Tuesday, July 26, 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 # 1039 – Present: Melton, Pahls, Thompson, Gernandt, Jerram, Mr. President

Absent Entire Meeting: Festersen

2. Pledge of Allegiance.

3. Invocation by Council President Ben Gray of District No. 2.

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 July 22, 2016, notice re: Pre-Council and Regular City Council Meetings, July 26, 2016.

CCID # 1040 – 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 at 1016 South 10th Street 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. # 985 – July 12 and 19 Meetings)
Notice of public hearing on July 26, 2016 published in the Daily Record on July 15, 2016. Ordinance passed on July 26, 2016 published in the Daily Record on August 3, 2016.

CCID # 985 – Motion by Jerram that the Ordinance be passed
Seconded by Gray
ROLL CALL:

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

ORDINANCE # 40822 - PASSED 6-0

- (a) Planning Board and Planning Department recommend approval of a request to rezone the property located at 1016 South 10th Street from HI to CBD (property is also located within an existing ACI-1(PL)-Area of Civic Importance Overlay District) – [see attached](#).
(See Doc. # 985 – July 12 Meeting)

985 – From Chair on File

6. Ord. to rezone property located at 601 South 13th Street from DS-Downtown Service 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. # 986 – July 12 and 19 Meetings)
Notice of public hearing on July 26, 2016 published in the Daily Record on July 15, 2016. Ordinance passed on July 26, 2016 published in the Daily Record on August 3, 2016.

CCID # 986 – Motion by Melton that the Ordinance be passed
Seconded by Gray
ROLL CALL:

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

ORDINANCE # 40823 - PASSED 6-0

- (a) Planning Board and Planning Department recommend approval of a request to rezone property located at 601 South 13th Street from DS-Downtown Service District to CBD-Central Business District (property is also located within an existing ACI-1(PL)-Area of Civic Importance Overlay District) – [see attached](#).

(See Doc. # 986 – July 12 Meeting)

986 – From Chair on File

7. Ord. to rezone the property located at 2503 Arbor Street from GI-General Industrial District to R4-Single-Family Residential District (high density). ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 987 – July 12 and 19 Meetings)
Notice of public hearing on July 26, 2016 published in the Daily Record on July 15, 2016. Ordinance passed on July 26, 2016 published in the Daily Record on August 3, 2016.

CCID # 987 – Motion by Gernandt that the Ordinance be passed
Seconded by Melton

ROLL CALL:

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

ORDINANCE # 40824 - PASSED 6-0

- (a) Planning Board and Planning Department recommend approval of a request to rezone the property located at 2503 Arbor Street from GI to R4 – [see attached](#).
(See Doc. # 987 – July 12 Meeting)

987 – From Chair on File

8. Ord. to rezone the properties located at 3022 and 3024 South 20th Street from GC-General Commercial District to NBD-Neighborhood Business District. ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 988 – July 12 and 19 Meetings)
Notice of public hearing on July 26, 2016 published in the Daily Record on July 15, 2016. Ordinance passed on July 26, 2016 published in the Daily Record on August 3, 2016.

CCID # 988 – Motion by Gernandt that the Ordinance be passed
Seconded by Thompson

ROLL CALL:

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

ORDINANCE # 40825 - PASSED 6-0

9. Ord. to amend the boundaries of the NCE-C Neighborhood Conservation & Enhancement Overlay District, to incorporate into that district the properties located at 3022 and 3024 South 20th Street; and to provide for an effective date – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 989 – July 12 and 19 Meetings)
Notice of public hearing on July 26, 2016 published in the Daily Record on July 15, 2016. Ordinance passed on July 26, 2016 published in the Daily Record on August 3, 2016.

CCID # 989 – Motion by Gernandt that the Ordinance be passed
Seconded by Thompson

ROLL CALL:

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

ORDINANCE # 40826 - PASSED 6-0

- (a) Planning Board and Planning Department recommend approval of a request to rezone properties located at 3022 and 3024 South 20th Street from GC to NBD with approval of a NCE-C Overlay District – [see attached](#).
(See Doc. # 989 – July 12 Meeting)

989 – From Chair on File

- 10. Ord. to rezone the property located east of the 32nd and Webster Street intersection from R7-Medium-Density Multiple-Family Residential District and GO-General Office District to GO-General Office District. ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 990 – July 12 and 19 Meetings)
Notice of public hearing on July 26, 2016 published in the Daily Record on July 15, 2016. Ordinance passed on July 26, 2016 published in the Daily Record on August 3, 2016.

CCID # 990 – Motion by Jerram that the Ordinance be passed
Seconded by Gray

ROLL CALL:

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

ORDINANCE # 40827 - PASSED 6-0

- (a) Planning Board and Planning Department recommend approval of a request to rezone the property located east of the 32nd and Webster Street intersection from R7 and GO to GO – [see attached](#).
(See Doc. # 990 – July 12 Meeting)

990 – From Chair on File

- 11. Ord. to amend an existing PK-Parking Overlay District in a R5-Urban Family Residential District located Northeast of 40th and Pacific Streets, to approve the amended Parking Plan, and to provide for an effective date – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 991 – July 12 and 19 Meetings)
Notice of public hearing on July 26, 2016 published in the Daily Record on July 15, 2016. Ordinance passed on July 26, 2016 published in the Daily Record on August 3, 2016.

CCID # 991 – Motion by Jerram that the Ordinance be passed

Seconded by Melton

ROLL CALL:

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

ORDINANCE # 40828 - PASSED 6-0

- (a) Planning Board and Planning Department recommend approval of an amendment to the existing PK-Parking Overlay District in a R5-Urban Family Residential District located Northeast of 40th and Pacific Streets – [see attached](#).
(See Doc. # 991 – July 12 Meeting)

991 – From Chair on File

- 12. Ord. to rezone the property located northeast of 40th and Pacific Streets from R5-Urban Family Residential District to GO-General Office District. ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 992 – July 12 and 19 Meetings)
Notice of public hearing on July 26, 2016 published in the Daily Record on July 15, 2016. Ordinance passed on July 26, 2016 published in the Daily Record on August 3, 2016.

CCID # 992 – Motion by Jerram that the Ordinance be passed

Seconded by Melton

ROLL CALL:

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

ORDINANCE # 40829 - PASSED 6-0

- (a) Planning Board and Planning Department recommend approval of a request to rezone the property located northeast of 40th and Pacific Streets from R5 to GO – [see attached](#).
(See Doc. # 992 – July 12 Meeting)

992 – From Chair on File

- 13. Ord. to amend the boundaries of the ACI-2(50)-Area of Civic Importance Overlay District, to incorporate into that district the property located at 7400 Western Avenue; and to provide for an effective date – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 993 – July 12 and 19 Meetings)
Notice of public hearing on July 26, 2016 published in the Daily Record on July 15, 2016. Ordinance passed on July 26, 2016 published in the Daily Record on August 3, 2016.

CCID # 993 – Motion by Melton that the Ordinance be passed

Seconded by Gray

ROLL CALL:

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

ORDINANCE # 40830 - PASSED 6-0

- (a) Planning Board and Planning Department recommend approval of an amendment to the boundaries of the ACI-2(50)-Area of Civic Importance Overlay District, to incorporate into that district the property located at 7400 Western Avenue – [see attached](#).
(See Doc. # 993 – July 12 Meeting)

993 – From Chair on File

14. Ord. to rezone property located east of 204th Street and north of Blondo Parkway from R4-Single-Family Residential District (high density) to DR-Development Reserve District. ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 994 – July 12 and 19 Meetings)
Notice of public hearing on July 26, 2016 published in the Daily Record on July 15, 2016. Ordinance passed on July 26, 2016 published in the Daily Record on August 3, 2016.

THE FOLLOWING PERSONS APPEARED AND SPOKE:

PROPONENT: Larry Jobeun, 11440 W. Center Road, Attorney for the applicant

OPPONENT: Jim Tollefson, 20221 Pearl Circle, Elkhorn, NE

CCID # 994 – Motion by Gernandt that the Ordinance be passed

Seconded by Melton

ROLL CALL:

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

ORDINANCE # 40831 - PASSED 6-0

15. Ord. to rezone property located east of 204th Street and north of Blondo Parkway from R4-Single-Family Residential District (high density) to R4-Single-Family Residential District (high density). ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 995 – July 12 and 19 Meetings)
Notice of public hearing on July 26, 2016 published in the Daily Record on July 15, 2016. Ordinance passed on July 26, 2016 published in the Daily Record on August 3, 2016.

THE FOLLOWING PERSONS APPEARED AND SPOKE:

PROPONENT: Larry Jobeun, 11440 W. Center Road, Attorney for the applicant

OPPONENT: Jim Tollefson, 20221 Pearl Circle, Elkhorn, NE

CCID # 995 – Motion by Gernandt that the Ordinance be passed

Seconded by Melton

ROLL CALL:

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

ORDINANCE # 40832 - PASSED 6-0

- (a) Planning Board and Planning Department recommend approval of a request to rezone property located east of 204th Street and north of Blondo Parkway from R4 to DR and R4 – [see attached](#).
(See Doc. # 995 – July 12 Meeting)

995 – From Chair on File

- 16. Res. that the preliminary plat entitled THE VILLAS OF PINEY CREEK, located east of 204th Street and north of Blondo Parkway, along with the attached conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized – Outside City – over from 7/12/16 – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 996 – July 12 Meeting)

THE FOLLOWING PERSONS APPEARED AND SPOKE:

PROPONENT: Larry Jobeun, 11440 W. Center Road, Attorney for the applicant

OPPONENT: Jim Tollefson, 20221 Pearl Circle, Elkhorn, NE

Motion by Gernandt that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 996 – ADOPTED 6-0

- (a) Planning Board and Planning Department recommend approval of the Preliminary Plat of THE VILLAS OF PINEY CREEK, located east of 204th Street and north of Blondo Parkway – Outside City – over from 7/12/16 – [see attached](#).
(See Doc. # 996 – July 12 Meeting)

996 – From Chair on File

- 17. Res. that the plat entitled THE VILLAS OF PINEY CREEK, located east of 204th Street and north of Blondo Parkway, is hereby approved and accepted – Outside City – over from 7/12/16 – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 997 – July 12 Meeting)

THE FOLLOWING PERSONS APPEARED AND SPOKE:

PROPONENT: Larry Jobeun, 11440 W. Center Road, Attorney for the applicant

OPPONENT: Jim Tollefson, 20221 Pearl Circle, Elkhorn, NE

Motion by Gernandt that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 997 – ADOPTED 6-0

- (a) Planning Board and Planning Department recommend approval of the Final Plat of THE VILLAS OF PINEY CREEK, located east of 204th Street and north of Blondo Parkway – Outside City – over from 7/12/16 – [see attached](#).

(See Doc. # 997 – July 12 Meeting)

997 – From Chair on File

18. Res. that, the Subdivision Agreement among the City of Omaha, Real Growth, LLC, a Nebraska limited liability company, The Villas of Piney Creek Homeowners Association, and Sanitary and Improvement District (S.&I.D.) 579 of Douglas County, Nebraska, as recommended by the Mayor, providing for the public improvements, 1% administrative fee, Interceptor Sewer Fee, Watershed Management Fee, Parks fees, and sewer connection to the Omaha Sanitary Sewer System, is hereby approved. The Subdivision is to be known as The Villas of Piney Creek (Lots 1-51 and Outlots A-B) and is located east of 204th Street and north of Blondo Parkway – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

THE FOLLOWING PERSONS APPEARED AND SPOKE:

PROPONENT: Larry Jobeun, 11440 W. Center Road, Attorney for the applicant

OPPONENT: Jim Tollefson, 20221 Pearl Circle, Elkhorn, NE

Motion by Gernandt that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 1074 – ADOPTED 6-0

19. Ord. to repeal the MCC-Major Commercial Corridor Overlay District for property located at 3603 North 222nd Street, and to provide for an effective date – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))

(See Doc. # 998 – July 12 and 19 Meetings)

Notice of public hearing on July 26, 2016 published in the Daily Record on July 15, 2016. Ordinance passed on July 26, 2016 published in the Daily Record on August 3, 2016.

CCID # 998 – Motion by Thompson that the Ordinance be passed
Seconded by Melton
ROLL CALL:
Yeas: Melton, Pahls, Thompson, Gernandt, Jerram, Mr. President
ORDINANCE # 40833 - PASSED 6-0

- (a) Planning Board and Planning Department recommend approval of the request to repeal the MCC-Major Commercial Corridor Overlay District for property located at 3603 North 222nd Street – [see attached](#).
(See Doc. # 998 – July 12 Meeting)

998 – From Chair on File

“PURSUANT TO CITY COUNCIL RULE VII H DUE TO NO MEETING BEING HELD AUGUST 2, 2016 AGENDA ITEM NOS. 20 THROUGH 21 SHALL BE LAID OVER THREE WEEKS TO AUGUST 16, 2016 FOR PUBLICATION AND PUBLIC HEARING”

RESOLUTIONS RE: PRELIMINARY PLAT AND PLAT

- 20. Res. that the preliminary plat entitled UNION PACIFIC PLACE REPLAT SIX, located at 1207 Cass Street, 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 August 16, 2016 published in the Daily Record on July 29, 2016.

CCID # 1042 – Over three weeks to August 16, 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 UNION PACIFIC PLACE REPLAT SIX, a minor plat inside the city limits (property also located within an existing ACI-1(PL) Overlay District), located at 1207 Cass Street – Inside City – [see attached](#).

1042 – Over to 8/16/16

- 21. Res. that the replat transmitted herewith entitled UNION PACIFIC PLACE REPLAT SIX, located at 1207 Cass Street, is hereby approved, and concurrently a portion of the existing plat entitled Union Pacific Place, and described on said replat, is hereby vacated – Inside City – [see attached](#).

Notice of Public Hearing on August 16, 2016 published in the Daily Record on July 29, 2016.

CCID # 1043 – Over three weeks to August 16, 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 UNION PACIFIC PLACE REPLAT SIX, a minor plat inside the city limits (property also located within an existing ACI-1(PL) Overlay District), located at 1207 Cass Street – Inside City – [see attached](#).

1043 – Over to 8/16/16

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SPECIAL USE PERMIT – AUTOMOTIVE SALES

- 22. Res. that the Special Use Permit application submitted by Ryker Powersports, for a Special Use Permit to allow Automotive sales in a CC-Community Commercial District for property located at 13927 “S” Plaza, Omaha, Nebraska, is hereby approved and the Permits and Inspection Division is directed to issue the necessary permit therefor, provided the conditions set out in Exhibit "A" of the above referenced application, conditions set out in Exhibit "B", and all applicable local or state statutes, ordinances or regulations are complied with. That the proposed Special Use Permit has been reviewed and evaluated pursuant to, and meets each of, the criteria set forth in Section 55-885 of the Omaha Municipal Code – over from 7/12/16 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 969 – July 12 Meeting)

Motion by Melton that the Resolution be adopted
Seconded by Gray
ROLL CALL:
Yeas: Melton, Pahls, Thompson, Gernandt, Jerram, Mr. President
RESOLUTION # 969 – ADOPTED 6-0

- (a) Planning Board and Planning Department recommend approval of a Special Use Permit to allow *Automotive sales* in a CC-Community Commercial District located at 13927 “S” Plaza – over from 7/12/16 – [see attached](#).
(See Doc. # 969 – July 12 Meeting)

969 – From Chair on File

LIQUOR

23. Make Your Own Luck Nebraska, LLC, dba "Jefferson's Restaurant", 17520 Wright Street, Suite 101, requests permission for a change of location of their present Class "C" Liquor License to 510 South 13th Street. Property posted: 06-13-16; Notification sent: 06-17-16 – over from 7/12/16 – [see attached](#). ((PUBLIC HEARING HELD 6/28/16 – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))
(See Doc. # 942 – June 28 and July 12 Meetings)

CCID # 942 - Motion by Jerram that the request be laid over two weeks to August 9, 2016

Seconded by Gray

ROLL CALL:

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

Motion Carried 6-0

- (a) Communication from Donna Waller, City of Omaha Finance Department re: Restaurant tax for Make Your Own Luck Nebraska, LLC, dba "Jefferson's Restaurant", 17520 Wright Street, Suite 101 – over from 7/12/16 – [see attached](#).
(See Doc. # 942 – July 12 Meeting)

942 – Over to 8/9/16

- (b) Communication from Donna Waller, City of Omaha Finance Department re: Restaurant tax for Make Your Own Luck Nebraska, LLC, dba "Jefferson's Restaurant", 17520 Wright Street, Suite 101 – [see attached](#).
(See Doc. # 942 – July 12 Meeting)

942 – Over to 8/9/16

- (c) Communication from Brian Duncan on behalf of Patricia Duncan, president of Make Your Own Luck Nebraska, LLC, dba "Jefferson's Restaurant", 17520 Wright Street, Suite 101, requesting that their application for a Change of Location to 510 South 13th Street, be laid over 2 weeks to August 9, 2016 – [see attached](#).

942 – From Chair on File

24. CLASS "C" – Draught House, LLC, dba "The Original Draught House", 12411 West Center Road, Suites 101 & 102. New application, New location. Property posted: 07-13-16; Notification sent: 07-15-16 – [see attached](#). ((YOU HAVE YOUR HEARING ON THE APPLICATION BUT YOUR MOTION SHOULD BE TO ADOPT A RESOLUTION EITHER TO GRANT OR DENY))

Tom Baldwin, 5503 Beachwood Terrace, West Des Moines, IA, appeared and spoke.

Resolution read

Motion by Thompson that the Resolution to GRANT be ADOPTED AS AMENDED

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 1069 – ADOPTED AS AMENDED 6-0

- (a) Communication opposing the application of Draught House, LLC, dba “The Original Draught House”, 12411 West Center Road, Suites 101 & 102 for a Class “C” Liquor License – [see attached](#).

1069 – From Chair on File

- (b) Communication from Tom Baldwin, president, Draught House, LLC, dba “The Original Draught House”, 12411 West Center Road, Suites 101 & 102, requesting to amend their application for a Class “C” Liquor License to remove the outdoor area – [see attached](#).

1069 – Motion by Thompson that the request to amend the application to remove the outdoor area be approved

Seconded by Melton

ROLL CALL:

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

Motion Carried 6-0

- 25. CLASS “I” – Premier Center, LLC, dba “Ragazzi’s Pizza”, 16909 Lakeside Hills Plaza #118. New application, New location. Property posted: 07-13-16; Notification sent: 07-15-16 – [see attached](#). ((YOU HAVE YOUR HEARING ON THE APPLICATION BUT YOUR MOTION SHOULD BE TO ADOPT A RESOLUTION EITHER TO GRANT OR DENY))

Jeff Daley, 14610 Ames Avenue, appeared and spoke.

Motion by Thompson that the Resolution to GRANT be adopted

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 1070 - ADOPTED 6-0

- 26. Apple Ten Hospitality Management, Inc., dba “Hilton Garden Inn”, 1005 Dodge Street, requests permission to appoint Jason M. Smith manager of their present Class “I” Liquor License location – [see attached](#). ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))

CCID # 1071 - Motion by Jerram that the request be approved
Seconded by Gray
ROLL CALL:
Yeas: Melton, Pahls, Thompson, Gernandt, Jerram, Mr. President
Motion Carried 6-0

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 hearing on Agenda Item No. 27 was held on July 19, 2016.)

CONSENT AGENDA – ORDINANCE

27. Ord. (1) to approve an agreement between the City of Omaha and Douglas County Board of Commissioners, Douglas County Administrative Office in the amount of eight thousand, five hundred dollars (\$8,500); and (2) to authorize funding for such agreement from the City of Omaha’s FY 2015 Violent Gang and Gun Crime Reduction Program (Project Safe Neighborhoods): Category 3, grant award #2015-GP-BX-0005, awarded by the U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), Bureau of Justice Assistance (BJA); to provide partial funding for one (1) part-time Gang and Gun Prosecutor in the Douglas County Attorney’s Office’s Violent Crime Gang/Gun Prosecution Unit; involving appropriations of more than one year in conformity with Section 5.17 of the Home Rule Charter; providing for payment from a specific account; and, providing for the effective date hereof – [see attached](#).
(See Doc. # 960 – July 12 and 19 Meetings)
Notice of public hearing on July 19, 2016 published in the Daily Record on July 15, 2016. Ordinance passed on July 26, 2016 published in the Daily Record on August 3, 2016.

CCID # 960 – Motion by Gernandt that the Ordinance be passed
Seconded by Thompson
ROLL CALL:
Yeas: Melton, Pahls, Thompson, Gernandt, Jerram, Mr. President
ORDINANCE # 40834 - PASSED 6-0

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

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(The public hearings on Agenda Item Nos. 28 through 57 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

28. Res. that, the Subdivision Agreement between the City of Omaha and Centennial Farms, L.L.C., a Nebraska limited liability company, as recommended by the Mayor, providing for the Watershed Management fees, Interceptor Sewer fees, Parks fees, and future sewer connection to the Omaha Sanitary Sewer System, is hereby approved. The Subdivision is to be known as Centennial Farms (Lot 1 and Outlot A) and is located at 10718 North 84th Street – [see attached](#).

Motion by Melton that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

RESOLUTION # 1044 – ADOPTED 6-0

29. Res. that, as recommended by the Mayor, Change Order No. 1 with Swain Construction, Incorporated for an extension of the shared use path on OPW 51825, being the 32nd Avenue Widening & Shared Use Path Project, is hereby approved; and that, the Finance Department is authorized to pay an additional sum of \$95,491.69 for this change order, from the 2010 Parks and Recreation Fund 13355, Parks and Cultures Bonds Organization 117317, year 2016 expenditure – [see attached](#).

Motion by Melton that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

RESOLUTION # 1045 – ADOPTED 6-0

30. Res. that, as recommended by the Mayor, Change Order No. 31 with Hawkins Construction Company for additional repair work on OPW 51875, being the Missouri River Wastewater Treatment Plant – Schedule B1 Project, is hereby approved; and that, the Finance Department is authorized to pay an additional sum of \$625,000.00 for this change order, from the Sewer Revenue Improvements Fund 21124, CSO Control Implementation Organization 116918, year 2016 expenditure; Sewer Revenue Bonds will be issued to finance this project – [see attached](#).

Motion by Melton that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

RESOLUTION # 1046 – ADOPTED 6-0

31. Res. that, as recommended by the Mayor, Change Order No. 2 with Western Engineering Company, Incorporated for the resurfacing of Road Maintenance District 745-26 on OPW 52928, being the 2016 Major/Residential Street Resurfacing – Various Locations Project, is hereby approved; and that, the Finance Department is authorized to pay an additional sum of \$92,692.60 for this change order, from the Capital Special Assessment Fund 13573, Special Assessments Organization 116168, year 2016 expenditure – [see attached](#).

Motion by Melton that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

RESOLUTION # 1047 – ADOPTED 6-0

32. Res. that, as recommended by the Mayor, Change Order No. 3 with Western Engineering Company, Incorporated for the resurfacing of Road Maintenance District 745-25 on OPW 52928, being the 2016 Major/Residential Street Resurfacing – Various Locations Project, is hereby approved; and that, the Finance Department is authorized to pay an additional sum of \$522,803.95 for this change order, from the Capital Special Assessment Fund 13573, Special Assessments Organization 116168, year 2016 expenditure – [see attached](#).

THE FOLLOWING PERSONS APPEARED AND SPOKE:

PROPONENT: Howard Kaslow, 2403 S. 102nd Street

OPPONENTS: Olga Jasinski, 2324 S. 102nd Street
Kathleen Mitchell, 2501 S. 102nd Street

FOR THE CITY: Bob Stubbe, Public Works Director
Cassie Paben, Mayor's Office
Paul Kratz, City Attorney

Motion by Melton that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

RESOLUTION # 1048 – ADOPTED 6-0

- (a) Communication from Carrie Murphy, Mayor's Office, re: the letter to property owners that request a Street Improvement District or Road Maintenance District – [see attached](#).

1048 – From Chair on File

33. Res. that, as recommended by the Mayor, Change Order No. 4 with Western Engineering Company, Incorporated for the resurfacing of Road Maintenance District 745-24 on OPW 52928, being the 2016 Major/Residential Street Resurfacing – Various Locations Project, is hereby approved; and that, the Finance Department is authorized to pay an additional sum of \$86,225.95 for this change order, from the Capital Special Assessment Fund 13573, Special Assessments Organization 116168, year 2016 expenditure – [see attached](#).

Motion by Melton that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

RESOLUTION # 1049 – ADOPTED 6-0

34. Res. that, as recommended by the Mayor, the contract with Hawkins Construction Company for OPW 52648 (CSO), being the Schedule B2 Missouri River Wastewater Treatment Plant Combined Sewer Overflow Improvements Project, is hereby approved; and that, the Finance Department is authorized to pay the cost of \$50,440,025.68 for OPW 52648 (CSO) from the Sewer Revenue Improvements Fund 21124, CSO Control Implementation Organization 116918, year 2016 expenditures – [see attached](#).

Motion by Melton that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

RESOLUTION # 1050 – ADOPTED 6-0

35. Res. that, as recommended by the Mayor, Amendment No. 1 to the Professional Services Agreement with George Butler Associates, Incorporated for additional engineering services on OPW 52767, being the Papillion Creek Interceptor Sewer Manhole Rehabilitation (South Branch) Project, is hereby approved; and that, the Finance Department is authorized to pay the additional fee not to exceed \$91,668.00 for these services to be paid from Sewer Revenue Improvements Fund 21124, Neighborhood Sewer Renovation Organization 116911 – [see attached](#).

Motion by Melton that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

RESOLUTION # 1051 – ADOPTED 6-0

36. Res. that, as recommended by the Mayor, the Professional Services Agreement with Kirkham, Michael, and Associates for professional services associated with OPW 52988, being the CSO 119 – Monroe Outfall, Twin 96” CMP Replacement and Bulkhead Construction, is hereby approved; and that, the Finance Department is authorized to pay Kirkham, Michael, and Associates a fee not to exceed \$95,500.00 for these professional services from the Sewer Revenue Improvements Fund 21124, Sewer Separation Organization 116912, year 2016 expenditure – [see attached](#).

Motion by Melton that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

RESOLUTION # 1072 – ADOPTED 6-0

37. Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Elliott Sanitation Equipment Company for one (1) Combination Catch Basin and High-Pressure Sewer Cleaner to be utilized by the Sewer Maintenance Division in the amount of \$309,897.50; and, that the Finance Department is authorized to pay the cost of this purchase from the Sewer Revenue Fund 21121, Maintenance Organization 116511, year 2016 funding – [see attached](#).

Motion by Melton that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

RESOLUTION # 1052 – ADOPTED 6-0

38. Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Clarklift of Des Moines, Incorporated d/b/a Forklifts of Omaha for one (1) 5,000 pound industrial fork lift truck to be utilized by the Missouri River Wastewater Treatment Plant in the amount of \$23,695.00; and, that the Finance Department is authorized to pay the cost of this purchase from the Sewer Revenue Fund 21121, Missouri Treatment Plant Maintenance Organization 116613, year 2016 funding – [see attached](#).

Motion by Melton that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

RESOLUTION # 1053 – ADOPTED 6-0

39. Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue purchase orders to Nebraska Salt & Grain Company in the amount of \$1,462,500.00 for the purchase of approximately 30,000 tons of rock salt for the 2016-2017 winter season; and, that the Finance Department is authorized to pay this cost from the Street and Highway Allocation Fund 12131, Snow and Ice Control Organization 116154, year 2016 expenditures – [see attached](#).

Motion by Melton that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

RESOLUTION # 1054 – ADOPTED 6-0

40. Res. that, the quote of Anderson Excavating for the demolition of 420 South 24 Street, in the amount of \$23,725.00 is accepted and award is made to Anderson Excavating; the amount of this award shall be paid from General Funds Demolition 2016; and that, the Purchasing Agent be authorized to issue a purchase order to Anderson Excavating for the demolition of 420 South 24 Street, in the amount of \$23,725.00 – [see attached](#).

Motion by Melton that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

RESOLUTION # 1055 – ADOPTED 6-0

41. Res. that, as recommended by the Mayor, the attached Agreement between the City of Omaha and Omaha Healthy Kids Alliance, a Nebraska Non-profit Corporation, 5006 Underwood Avenue, Omaha, Nebraska 68132, in the amount of \$5,407,112.00 to provide outreach and community relations support for Omaha Lead Site testing and clean-up efforts, including supporting the Omaha Lead Registry effective from date of execution to May 31, 2022, is hereby approved. Funds shall be paid from the EPA Cooperative Agreement, Number V-97748601, Fund No. 12136, Organization No. 128104 – [see attached](#).

Motion by Melton that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

RESOLUTION # 1056 – ADOPTED 6-0

42. Res. that, as recommended by the Mayor, the purchase from Accela, Inc., for the purchase of 25 user licenses and maintenance and support package, is hereby approved; and, that the Finance Department is authorized to pay a fee not to exceed \$50,850.00 which will be paid from the Technology and Training Fund No. 21217, Organization No. 109041, FY 2016 expenditure – [see attached](#).

Motion by Melton that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

RESOLUTION # 1057 – ADOPTED 6-0

43. Res. that, as recommended by the Mayor, the purchase from TruePoint Solutions, LLC, for the purchase of the Electronic Document Review (EDR) with e-PlanCheck, is hereby approved; and, that the Finance Department is authorized to pay a fee not to exceed \$48,880.00 which will be paid from the Technology and Training Fund No. 21217, Organization No. 109041, FY 2016 expenditure – [see attached](#).

Motion by Melton that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

RESOLUTION # 1058 – ADOPTED 6-0

44. Res. that, the attached Grant Agreement, as recommended by the Mayor, to provide funding in the amount of \$45,000.00 for the rehabilitation and lead reduction work, when applicable, to the property owned by Candace G. Boylan located at 2024 Oak Street, Omaha, NE, is hereby approved. The contract is to be awarded to Le Vesque Construction & Home Refinishing LLC. Funds shall be paid as follows: \$20,000.00 from CDBG Target Area Program 2015, Fund No. 12186, Org. No. 128072; and \$25,000.00 from NAHTF 14-TFHO-7074 Owner Occupied Rehabilitation, Fund No. 12141, Org. No. 128101 – [see attached](#).

Motion by Melton that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

RESOLUTION # 1059 – ADOPTED 6-0

45. Res. that, the attached Grant Agreement, as recommended by the Mayor, to provide funding in the amount of \$44,015.00 for the rehabilitation and lead reduction work, when applicable, to the property owned by Matthew T. Hegarty and Desirae F. Hegarty located at 3318 S 19 Street, Omaha, NE, is hereby approved. The contract is to be awarded to R & R Construction. Funds shall be paid as follows: \$25,000.00 from NAHTF 14-TFHO-7074 Owner Occupied Rehabilitation, Fund No. 12141, Org. No. 128101; and \$19,015.00 from CDBG Target Area Program 2015, Fund No. 12186, Org. No. 128072 – [see attached](#).

Motion by Melton that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

RESOLUTION # 1060 – ADOPTED 6-0

46. Res. that, as recommended by the Mayor, the bid in the total amount of \$139,000.00 from Anderson Excavating Co., for demolition of Storz Restaurant, 345 Riverfront Drive, 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, removal and hauling away of the existing structure and grading and seeding. The Purchasing Agent is authorized to issue a purchase order in conformance herewith. Funds in the amount of \$139,000.00 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 Melton that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

RESOLUTION # 1076 – ADOPTED 6-0

47. Res. that, as recommended by the Mayor, the bid in the total amount of \$39,220.00 from NL&L Concrete, Inc., to furnish labor and materials to install new walkways at the Memorial Park Rose Garden, 6005 Underwood Avenue, 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, installation of new walkways and curvilinear walkway. The Purchasing Agent is authorized to issue a purchase order in conformance herewith. Funds in the amount of \$39,220.00 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 Melton that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

RESOLUTION # 1077 – ADOPTED 6-0

48. Res. that, as recommended by the Mayor, the Professional Services Agreement with Olsson Associates for professional landscape, architectural, and engineering services to design a synthetic turf soccer field at Tranquility Park Soccer Complex, 4006 N. 120th Street, including preparation of contract documents (plans and specifications), in the total amount of \$40,500.00, attached hereto and made a part hereof, is hereby approved; and, the Purchasing Agent is authorized to issue a purchase order in conformance herewith to be paid from the 2010 Parks and Recreation Fund No. 13355 and Organization No. 117317, Parks and Cultures Bond, for the 2016 fiscal year – [see attached](#).

Motion by Melton that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

RESOLUTION # 1075 – ADOPTED 6-0

49. Res. that, as recommended by the Mayor, the bid of Jones Automotive, Inc. in the amount of \$1,125,978.82, which represents the bid for emergency equipment and installation for four (4) Chevy Caprice slick top cruisers, thirty-six (36) black and white Chevy Caprice cruisers, and eight (8) Ford Interceptor Police Utility Vehicles, being the only bid received, which is incorporated herein by this reference, is hereby accepted and the same hereby approved, and that the Finance Department of the City of Omaha is authorized to pay the cost of the emergency equipment and installation for four (4) Chevy Caprice slick top cruisers, thirty-six (36) black and white Chevy Caprice cruisers, and eight (8) Ford Interceptor Police Utility Vehicles in the amount of \$1,125,978.82 from Year 2016, General Fund 11111, Organization 113141 Fleet & Facilities, Account 44234 Cars/Small Trucks/Vans. The Finance Department is authorized to pay the cost from this account – [see attached](#).

Motion by Melton that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

RESOLUTION # 1061 – ADOPTED 6-0

50. Res. that, as recommended by the Mayor, the repair service based upon the quote of L3 Communications/Sonoma EO, providing a unique and non-competitive service, in the amount not to exceed \$34,721.00 for the repair of the M12 DS650 Forward Looking Infrared (FLIR) Camera System utilized by the Omaha Police Department Air Support Unit, is hereby approved; and, that the Finance Department of the City of Omaha is authorized to pay \$34,721.00 for the cost of the repairs from Year 2016, Fund No. 11111, Organization 113182 Air Support Unit, Account 42237 Aviation Expense – [see attached](#).

Motion by Melton that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

RESOLUTION # 1062 – ADOPTED 6-0

51. Res. that, as recommended by the Mayor, the Omaha Convention and Visitors Bureau's appropriation in the amount of \$31,959.00 for the use of the MeetingMax housing booking system during the US Olympic Swim Trials held at the CenturyLink Center from June 23, 2016 to July 3, 2016, is hereby approved; and that, the Finance Director is authorized to make payment in an amount not to exceed \$31,959.00 from Fiscal Year 2016, Fund No. 21109, Organization No. 115921, Account No. 42252 – [see attached](#).

Motion by Melton that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

RESOLUTION # 1063 – ADOPTED 6-0

52. Res. that Mayor Jean Stothert's appointment of Mike P. Connor as the Douglas County Health Department member (non-voting) of the Plumbing Board, to serve a term commencing on July 29, 2016, and expiring at the end of the current Mayoral term, be and hereby is confirmed and approved – [see attached](#).

Motion by Melton that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

RESOLUTION # 1080 – ADOPTED 6-0

53. Res. that the reappointment by Mayor Jean Stothert of Jeff O. Estabrook as the non-union master plumber member of the Plumbing Board, to serve a three-year term commencing on July 29, 2016, and expiring July 28, 2019, be and hereby is confirmed and approved – [see attached](#).

Motion by Melton that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

RESOLUTION # 1081 – ADOPTED 6-0

54. Res. that the reappointment by Mayor Jean Stothert of David W. Miller as the union master plumber member of the Plumbing Board, to serve a three-year term commencing on July 29, 2016, and expiring July 28, 2019, be and hereby is confirmed and approved – [see attached](#).

Motion by Melton that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

RESOLUTION # 1082 – ADOPTED 7-0

55. Res. that the reappointment by Mayor Jean Stothert of Terry S. Salem, Sr. as the union journeyman plumber member of the Plumbing Board, to serve a three-year term commencing on July 29, 2016, and expiring July 28, 2019, be and hereby is confirmed and approved – [see attached](#).

Motion by Melton that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

RESOLUTION # 1083 – ADOPTED 6-0

- 56. Res. that the appointment by Mayor Jean Stothert of Matthew B. Schafer as the licensed landscape architect member of the Urban Design Review Board, to serve a three-year term commencing upon City Council approval, and expiring three years thereafter, be and hereby is confirmed and approved – [see attached](#).

Motion by Melton that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

RESOLUTION # 1084 – ADOPTED 6-0

- 57. Res. that the appointment by Mayor Jean Stothert of Robert E. Carlson as the representative of a local non-profit visual arts corporation or association on the Public Art Commission to serve a three-year term commencing on July 29, 2016, and expiring July 28, 2019, is hereby confirmed and approved – [see attached](#).

Motion by Melton that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

RESOLUTION # 1079 – ADOPTED 6-0

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

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ORDINANCE ON FINAL READING

- 58. Ord. to amend Omaha Municipal Code Chapter 19 to provide for the applicability of the restaurant occupation tax to certain food vendors; to clarify the enforcement of the restaurant occupation tax; to repeal Omaha Municipal Code sections 19-800 and 19-802 as heretofore existing; and to provide the effective date thereof – [see attached](#). ((PUBLIC HEARING HELD 7/19/16 – CAN BE PASSED TODAY))
(See Doc. # 961 – July 12 and 19 Meetings)

CCID # 961 – Motion by Gernandt to lay over the final reading two weeks to August 9, 2016
Seconded by Jerram
ROLL CALL:
Yeas: Melton, Pahls, Thompson, Gernandt, Jerram, Mr. President
Motion Carried 6-0

“PURSUANT TO CITY COUNCIL RULE VII H DUE TO NO MEETING BEING HELD AUGUST 2, 2016 THE THIRD READING AND PUBLIC HEARINGS ON AGENDA ITEM NOS. 59 THROUGH 61 SHALL BE HELD ON AUGUST 9, 2016”

ZONING ORDINANCES ON SECOND READING

59. Ord. to rezone property located at 9801 West Center Road from DR-Development Reserve District to R4-Single-Family Residential District (high density).
(See Doc. # 1017 – July 19 Meeting)

CCID # 1017 – ORDINANCE ON SECOND READING – Final reading to be held August 9, 2016 pursuant to City Council Rule VII H.

60. Ord. to rezone property located Northeast of 189th and Blondo Streets from AG-Agricultural District to DR-Development Reserve District.
(See Doc. # 1021 – July 19 Meeting)

CCID # 1021 – ORDINANCE ON SECOND READING – Final reading to be held August 9, 2016 pursuant to City Council Rule VII H.

61. Ord. to rezone property located Northeast of 189th and Blondo Streets from AG-Agricultural District to R4-Single-Family Residential District (high density).
(See Doc. # 1022 – July 19 Meeting)

CCID # 1022 – ORDINANCE ON SECOND READING – Final reading to be held August 9, 2016 pursuant to City Council Rule VII H.

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**“PURSUANT TO CITY COUNCIL RULE VII H DUE TO NO MEETING
BEING HELD AUGUST 2, 2016 THE THIRD READING ON AGENDA
ITEM NOS. 62 THROUGH 70 SHALL BE HELD ON AUGUST 9, 2016”
((THE PUBLIC HEARINGS ON THESE ITEMS ARE TODAY))**

ORDINANCES ON SECOND READING and Planning Board Attachments

62. Ord. vacating a portion of the east/west alley beginning at the west right-of-way line of South 38th Street extending approximately 155 feet to the west, abutting Lots 10, 12, 13, and 14, Block 9, Jerome Park, a subdivision as surveyed, platted, and recorded in Douglas County, Nebraska, containing 2,557.50 square feet, and providing the effective date hereof – [see attached](#). ((PUBLIC HEARING TODAY))
(See Doc. # 1025 – July 19 Meeting)

CCID # 1025 – Public hearing was held today – Final reading set for August 9, 2016 pursuant to City Council Rule VII H.

- (a) Planning Board and Planning Department recommend approval of the vacation of the east/west alley abutting 3804, 3810, 3812 and a portion of 3814 Farnam Street and 140 South 38th Street – Inside City – [see attached](#).
(See Doc. # 1025 – July 19 Meeting)

1025 – Over to 8/09/16

63. Ord. extending the limits of the City of Omaha over certain land in Douglas County, Nebraska, and incorporating the same into and making the same a part of the City of Omaha and to provide the effective date hereof, located Southwest of 156th and "Q" Streets, Autumn Grove and Adjacent Areas (SID 431) – [see attached](#). ((PUBLIC HEARING TODAY))
(See Doc. # 1031 – July 19 Meeting)

THE FOLLOWING PERSONS APPEARED AND SPOKE:

FOR THE CITY: Cassie Paben, Mayor’s Office
Bob Stubbe, Public Works Director
Brook Bench, Parks and Recreation Director
Steve Curtiss, Finance Director

CCID # 1031 – Public hearing was held today – Final reading set for August 9, 2016 pursuant to City Council Rule VII H.

64. Ord. extending the limits of the City of Omaha over certain land in Douglas County, Nebraska, and incorporating the same into and making the same a part of the City of Omaha and to provide the effective date hereof, located Southeast of 180th and "F" Streets, Dickenson's Landing/Wood Creek (SID 385) – [see attached](#). ((PUBLIC HEARING TODAY))
(See Doc. # 1032 – July 19 Meeting)

Cassie Paben, Mayor's Office, appeared and spoke.

CCID # 1032 – Public hearing was held today – Final reading set for August 9, 2016 pursuant to City Council Rule VII H.

65. Ord. extending the limits of the City of Omaha over certain land in Douglas County, Nebraska, and incorporating the same into and making the same a part of the City of Omaha and to provide the effective date hereof, located Southeast of 204th and Dodge Streets, Elk Valley (SID 458) – [see attached](#). ((PUBLIC HEARING TODAY))
(See Doc. # 1033 – July 19 Meeting)

Cassie Paben, Mayor's Office, appeared and spoke.

CCID # 1033 – Public hearing was held today – Final reading set for August 9, 2016 pursuant to City Council Rule VII H.

66. Ord. extending the limits of the City of Omaha over certain land in Douglas County, Nebraska, and incorporating the same into and making the same a part of the City of Omaha and to provide the effective date hereof, located Northwest of 180th and Harrison Streets, Falcon Ridge (SID 434) – [see attached](#). ((PUBLIC HEARING TODAY))
(See Doc. # 1034 – July 19 Meeting)

Cassie Paben, Mayor's Office, appeared and spoke.

CCID # 1034 – Public hearing was held today – Final reading set for August 9, 2016 pursuant to City Council Rule VII H.

67. Ord. extending the limits of the City of Omaha over certain land in Douglas County, Nebraska, and incorporating the same into and making the same a part of the City of Omaha and to provide the effective date hereof, located Northeast of 204th Street and Cumberland Drive, High Point and Adjacent Areas (SID 293) – [see attached](#). ((PUBLIC HEARING TODAY))
(See Doc. # 1035 – July 19 Meeting)

Cassie Paben, Mayor's Office, appeared and spoke.

CCID # 1035 – Public hearing was held today – Final reading set for August 9, 2016 pursuant to City Council Rule VII H.

68. Ord. extending the limits of the City of Omaha over certain land in Douglas County, Nebraska, and incorporating the same into and making the same a part of the City of Omaha and to provide the effective date hereof, located Northwest of 180th and Pacific Streets, Pacific Ridge (SID 486) – [see attached](#). ((PUBLIC HEARING TODAY))
(See Doc. # 1036 – July 19 Meeting)

Cassie Paben, Mayor’s Office, appeared and spoke.

CCID # 1036 – Public hearing was held today – Final reading set for August 9, 2016 pursuant to City Council Rule VII H.

69. Ord. extending the limits of the City of Omaha over certain land in Douglas County, Nebraska, and incorporating the same into and making the same a part of the City of Omaha and to provide the effective date hereof, located Northwest of 160th and Harrison Streets, Western Oaks and adjacent areas (SID 389) – [see attached](#). ((PUBLIC HEARING TODAY))
(See Doc. # 1037 – July 19 Meeting)

Cassie Paben, Mayor’s Office, appeared and spoke.

CCID # 1037 – Public hearing was held today – Final reading set for August 9, 2016 pursuant to City Council Rule VII H.

- (a) Planning Board and Planning Department recommend approval of the 2016 Annexation Package – [see attached](#).
(See Doc. # 1037 – July 19 Meeting)

1037 – Over to 8/9/16

ORDINANCE ON SECOND READING

70. Ord. to approve the acceptance of the City of Omaha and Douglas County joint application to the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, FY 2016 Edward Byrne Memorial Justice Assistance Grant Program, Application #2016-H2857-NE-DJ, in the amount of four hundred four thousand, five hundred forty-nine dollars (\$404,549) for law enforcement programs, crime prevention and education programs, prosecution and court programs, and planning, evaluation and technology improvement programs during the period of October 1, 2015 to September 30, 2019; to provide the Council an opportunity for review and public comment for such application; and upon award of such grant 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, to provide for the effective date hereof – [see attached](#). ((PUBLIC HEARING TODAY))
(See Doc. # 1027 – July 19 Meeting)

Luis Jimenez, 3126 Chicago Street, appeared and spoke.

CCID # 1027 – Public hearing was held today – Final reading set for August 9, 2016 pursuant to City Council Rule VII H.

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FINANCIAL REPORT

- 71. City of Omaha Comprehensive Annual Financial Report for the fiscal year ended December 31, 2015 – [see attached](#). ((MOTION NEEDED TO RECEIVE AND PLACE ON FILE))

CCID # 1064 – Motion by Melton to receive and place on file
Seconded by Gray

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Gernandt, Jerram, Mr. President
Motion Carried 6-0

“PURSUANT TO CITY COUNCIL RULE VII H DUE TO NO MEETING BEING HELD AUGUST 2, 2016 THE SECOND READING AND PUBLIC HEARINGS ON AGENDA ITEM NOS. 72 THROUGH 76 SHALL BE HELD ON AUGUST 9, 2016”

ORDINANCES ON FIRST READING

- 72. Ord. approving a redevelopment and tax increment financing loan agreement between the City of Omaha, a Nebraska Municipal Corporation in Douglas County, Nebraska, and Vision 13LB, LLC, a Nebraska limited liability company, to implement the Little Bohemia Tax Increment Financing (TIF) Redevelopment Project Plan for a project site located at 1419-1425 South 13th Street, which proposes to completely rehabilitate three commercial buildings for modern retail and office uses; the agreement authorizes the use of up to \$275,000.00 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](#).

CCID # 1065 – Publication to be made and public hearing to be held on August 9, 2016 pursuant to City Council Rule VII H.

73. Ord. approving a redevelopment and tax increment financing loan agreement between the City of Omaha, a Nebraska Municipal Corporation in Douglas County, Nebraska, and Sage Capital, LLC for Cogleywood, LLC, a Nebraska limited liability company, to implement the Dundee Flats Tax Increment Financing (TIF) Redevelopment Project Plan for a project site located at 4827, 4829, 4831 and 4835 Dodge Street, which proposes the demolition of existing structures, and the construction of a modern mixed-use redevelopment to include 63 market-rate apartments on floors 2 through 4, ground floor commercial retail space, and an attached parking garage; the agreement authorizes the use of up to \$1,779,600.00 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](#).

CCID # 1066 – Publication to be made and public hearing to be held on August 9, 2016 pursuant to City Council Rule VII H.

74. Ord. approving a redevelopment and tax increment financing loan agreement between the City of Omaha, a Nebraska Municipal Corporation in Douglas County, Nebraska, and Aksarben SC Housing, LLC, a Nebraska limited liability company, to implement the Aksarben SC Housing Development Tax Increment Financing (TIF) Redevelopment Project Plan for a site located at the northeast corner of 67th and Pine Streets, proposes the new construction of a 195,000 square foot, 4-story multi-family structure for students; the agreement authorizes the use of up to \$5,106,081.00 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](#).

CCID # 1067 – Publication to be made and public hearing to be held on August 9, 2016 pursuant to City Council Rule VII H.

75. Ord. to accept the bid of McKee/Holland in the amount of \$4.67 per inch of Diameter at Breast Height (DBH), no more than \$250,000.00 per year for the treatment of the Emerald Ash Borer for the Parks, Recreation, and Public Property Department; for one year beginning August 1, 2016 through July 31, 2017, with the option to extend the contract one year; and, to provide an effective date – [see attached](#).

CCID # 1078 – Publication to be made and public hearing to be held on August 9, 2016 pursuant to City Council Rule VII H.

76. Ord. to approve the acceptance of and authorize disbursement over more than one fiscal year from the Nebraska Crime Commission, FY 2015 STOP Violence Against Women (VAWA) Grant, Award #15-VW-0714 in the amount of two hundred thousand, twenty-two dollars (\$200,022), during the project period of July 1, 2016 to June 30, 2017; to enhance victim assistance services and prosecute cases of domestic violence through the multi-agency Douglas County Community Response Team as detailed in the attached grant application; to authorize payment from such grant funding and involving appropriations of more than one fiscal year in conformity with Section 5.17 of the Home Rule Charter; and, providing for the effective date thereof – [see attached](#).

CCID # 1068 – Publication to be made and public hearing to be held on August 9, 2016 pursuant to City Council Rule VII H.

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77. Ord. approving a redevelopment and tax increment financing loan agreement between the City of Omaha, a Nebraska Municipal Corporation in Douglas County, Nebraska, and Lanoha 1207 Cass, LLC, a Nebraska Limited Liability Company, to implement the 1207 Cass Tax Increment Financing plan (TIF) Redevelopment Project Plan, which contemplates a five-story mixed-use structure consisting of office space on floors 2 and 3, 45 market-rate multi-family units on floors 5 and 6, and 67 parking stalls under the building and adjacent surface stalls; the agreement authorizes the use of up to \$1,831,224 in excess ad valorem taxes generated by the development to help fund the cost of the project; and, providing for an effective date – [see attached](#). ((MOTION NEEDED TO SET THE SECOND READING ON 8/9/16 AND THIRD READING AND PUBLIC HEARING ON 8/16/16 TO COINCIDE WITH THE PRELIMINARY AND FINAL PLATS))

CCID # 1085 – Motion by Thompson to set the second reading on August 9, 2016 and the third reading and public hearing on August 16, 2016

Seconded by Melton

ROLL CALL:

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

Motion Carried 6-0

EXECUTIVE SESSION

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

Motion by Melton that the meeting be adjourned

Seconded by Gray

ROLL CALL:

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

Motion Carried 6 0

ADJOURNED: 3:23 P.M.

, 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 July 26, 2016.

WITNESS:

s/Sherri Brown

s/Buster Brown
CITY CLERK

THE PROCEEDINGS OF THIS MEETING WERE PRESENTED TO MAYOR JEAN STOTHERT ON THE 28TH DAY OF JULY, 2016.