

26TH REGULAR CITY COUNCIL MEETING

AUGUST 16, 2016

THE CITY COUNCIL met in Regular Session on Tuesday, August 16, 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 # 1127 – 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 August 12, 2016, notice re: Pre-Council and Regular City Council Meetings, August 16, 2016.

CCID # 1128 – 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.

RESOLUTIONS RE: PRELIMINARY PLAT AND PLAT AND ORDINANCE RE: TIF AGREEMENT

5. 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 – over from 7/26/16 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 1042 – July 26 Meeting)

Larry Jobeun, 11440 West Center Road, on behalf of the applicant, 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 # 1042 - ADOPTED 7-0

- (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 – over from 7/26/16 – [see attached](#).
(See Doc. # 1042 – July 26 Meeting)

1042 – From Chair on File

6. 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 – over from 7/26/16 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 1043 – July 26 Meeting)

Larry Jobeun, 11440 West Center Road, on behalf of the applicant, 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 # 1043 - ADOPTED 7-0

- (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 – over from 7/26/16 – [see attached](#).
(See Doc. # 1043 – July 26 Meeting)

1043 – From Chair on File

7. 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 4 and 5, 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](#). ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))

(See Doc. # 1085 – July 26 and August 9 Meetings)

Notice of public hearing on August 16, 2016 published in the Daily Record on July 29, 2016. Ordinance passed on August 16, 2016 published in the Daily Record on August 24, 2016.

Larry Jobeun, 11440 West Center Road, on behalf of the applicant, appeared and spoke.

CCID # 1085 – Motion by Jerram that the Ordinance be passed

Seconded by Festersen

ROLL CALL:

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

ORDINANCE # 40847 - PASSED 7-0

LIQUOR

8. CLASS “C” – Modern Eatery Concepts, LLC, dba “Jackson Street Tavern”, 1125 Jackson Street, Suite 3. New application, Old location. Present licensee is Jackson Street Tavern, LLC, dba “Jackson Street Tavern”, 1125 Jackson Street, Suite 3, who has a Class “C” Liquor License – [see attached](#). ((YOU HAVE YOUR HEARING ON THE APPLICATION BUT YOUR MOTION SHOULD BE TO ADOPT A RESOLUTION EITHER TO GRANT OR DENY))

John Wieland, Attorney, Smith Slusky Law, 8712 West Dodge Road #400, appeared and spoke.

Motion by Jerram that the Resolution to GRANT be adopted
Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President
RESOLUTION # 1129 - ADOPTED 7-0

9. CLASS "C" – Natural Grounds, LLC, dba "Oma's Deli", 1217 Leavenworth Street. New application, New location. Property posted: 08-03-16; Notification sent: 08-05-16 – [see attached](#). ((YOU HAVE YOUR HEARING ON THE APPLICATION BUT YOUR MOTION SHOULD BE TO ADOPT A RESOLUTION EITHER TO GRANT OR DENY))

Oscar Regier, 1217 Leavenworth Street, Oma's Deli, appeared and spoke.

Motion by Jerram that the Resolution to GRANT be adopted
Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President
RESOLUTION # 1130 - ADOPTED 7-0

10. CLASS "I" - EFF Cubed, LLC, dba "Painting With A Twist Omaha", 3525 North 147th Street, Suites 101 & 102. New application, New location. Property posted: 08-03-16; Notification sent: 08-05-16 – [see attached](#). ((YOU HAVE YOUR HEARING ON THE APPLICATION BUT YOUR MOTION SHOULD BE TO ADOPT A RESOLUTION EITHER TO GRANT OR DENY))

John Freeman, 700 Key Circle, Carter Lake, IA, appeared and spoke.

Motion by Melton that the Resolution to GRANT be adopted
Seconded by Thompson

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President
RESOLUTION # 1131 - ADOPTED 7-0

11. CLASS "I" – Sheared, Terrance J., dba "SoCo Café", 3018 North 93rd Circle. New application, New location. Property posted: 08-03-16; Notification sent: 08-05-16 – [see attached](#). ((YOU HAVE YOUR HEARING ON THE APPLICATION BUT YOUR MOTION SHOULD BE TO ADOPT A RESOLUTION EITHER TO GRANT OR DENY))

Terrance Sheared, 3018 N. 93rd Circle, SoCo Café, appeared and spoke.

Motion by Melton that the Resolution to GRANT be adopted
Seconded by Festersen

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President
RESOLUTION # 1132 - ADOPTED 7-0

- (a) Communication opposing the application of Sheared, Terrance J., dba “SoCo Café”, 3018 North 93rd Circle for a Class “I” Liquor License – [see attached](#).

1132 – From Chair on File

- 12. PACKAGE – ALBRO Holdings, LLC, dba “Big Bear’s Sinclair”, 5822 Maple Street. New application, Old location. Current licensee is YS Corporation, dba “Big Bear Sinclair”, 5822 Maple Street, who has a Package Liquor License – [see attached](#). ((YOU HAVE YOUR HEARING ON THE APPLICATION BUT YOUR MOTION SHOULD BE TO ADOPT A RESOLUTION EITHER TO GRANT OR DENY))

Farrukh Rakhimov, 5822 Maple Street, Big Bear’s Sinclair, appeared and spoke.

Motion by Festersen that the Resolution to GRANT be adopted

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 1133 - ADOPTED 7-0

- 13. CATERING – Amerigreen, LLC, dba “The Hive Bar”, 1207 Harney Street. New application, Old location. Presently holds a Class “C” Liquor License. Property posted: 07-01-16; Notification sent: 08-05-16 – [see attached](#). ((YOU HAVE YOUR HEARING ON THE APPLICATION BUT YOUR MOTION SHOULD BE TO ADOPT A RESOLUTION EITHER TO GRANT OR DENY))

Mike Kelley, Attorney, Kelley & Jerram, PC, LLO, 7134 Pacific Street, on behalf of the applicant, appeared and spoke.

Motion by Pahls that the Resolution to GRANT be adopted

Seconded by Melton

ROLL CALL:

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

Pass: Jerram

CITY CLERK CALLS THE ROLL AGAIN:

ROLL CALL:

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

Pass: Jerram

Councilmember Jerram passed due to potential conflict of interest

RESOLUTION # 1134 - ADOPTED 6-0-1 Pass

14. Wal-Mart Stores, Inc., dba "Walmart Store 4139", 360 N Saddle Creek Road, requests permission to appoint John G. Carlin II manager of their present Package Liquor License location – [see attached](#). ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))

CCID # 1135 - Motion by Jerram that the request be laid over one week to August 23, 2016 and continue the public hearing

Seconded by Festersen

ROLL CALL:

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

Motion Carried 7-0

- (a) Communication from John G. Carlin, requesting a one week layover to August 23, 2016 of the application to appoint him manager of the present Package Liquor License for Wal-Mart Stores, Inc., dba "Walmart Store 4139", 360 N Saddle Creek Road – [see attached](#).

1135 – From Chair on File

15. The Brassknocker, Inc., dba "Dr Jack's Drinkery", 3012 North 102nd Street, requests permission for a Special Designated License for a beer garden on August 27, 2016 from 2:00 p.m. to 2:00 a.m. with music until 11:00 p.m. – [see attached](#). ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))

Terri Ann Wallen, Dr. Jack's Drinkery, 3012 N. 102nd Street, appeared and spoke.

CCID # 1140 - Motion by Melton 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. 16 through 20 were held on August 9, 2016.)

CONSENT AGENDA – ORDINANCES

AGENDA ITEM NO. 16 REMOVED FROM CONSENT AGENDA AT THE REQUEST OF COUNCILMEMBER JERRAM

16. 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](#).

(See Doc. # 1065 – July 26 and August 9 Meetings)

Notice of public hearing on August 9, 2016 published in the Daily Record on July 29, 2016. Ordinance passed on August 16, 2016 published in the Daily Record on August 24, 2016.

CCID # 1065 – Motion by Festersen that the Ordinance be passed

Seconded by Melton

ROLL CALL:

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

Pass: Jerram

CITY CLERK CALLS THE ROLL AGAIN:

ROLL CALL:

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

Pass: Jerram

Councilmember Jerram passed due to potential conflict of interest

ORDINANCE # 40848 - PASSED 6-0-1 Pass

17. 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](#).
(See Doc. # 1066 – July 26 and August 9 Meetings)
Notice of public hearing on August 9, 2016 published in the Daily Record on July 29, 2016. Ordinance passed on August 16, 2016 published in the Daily Record on August 24, 2016.

CCID # 1066 – Motion by Festersen that the Ordinance be passed

Seconded by Gray

ROLL CALL:

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

ORDINANCE # 40849 - PASSED 7-0

18. 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](#).
(See Doc. # 1067 – July 26 and August 9 Meetings)
Notice of public hearing on August 9, 2016 published in the Daily Record on July 29, 2016. Ordinance passed on August 16, 2016 published in the Daily Record on August 24, 2016.

CCID # 1067 – Motion by Festersen that the Ordinance be passed

Seconded by Gray

ROLL CALL:

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

ORDINANCE # 40850 - PASSED 7-0

19. 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](#).

(See Doc. # 1078 – July 26 and August 9 Meetings)

Notice of public hearing on August 9, 2016 published in the Daily Record on July 29, 2016. Ordinance passed on August 16, 2016 published in the Daily Record on August 24, 2016.

CCID # 1078 – Motion by Festersen that the Ordinance be passed
Seconded by Gray

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President
ORDINANCE # 40851 - PASSED 7-0

20. 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](#).

(See Doc. # 1068 – July 26 and August 9 Meetings)

Notice of public hearing on August 9, 2016 published in the Daily Record on July 29, 2016. Ordinance passed on August 16, 2016 published in the Daily Record on August 24, 2016.

CCID # 1068 – Motion by Festersen that the Ordinance be passed
Seconded by Gray

ROLL CALL:

Yeas: Thompson, Festersen, Gernandt, Jerram, Melton, Pahls, Mr. President
ORDINANCE # 40852 - PASSED 7-0

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

* * * * *

(The public hearings on Agenda Item Nos. 21 through 24 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

21. Res. that, as recommended by the Mayor, the contract with Mackie Construction, LLC for OPW 52938, being the Florence Streetscape Phase 2 Improvements Project, is hereby approved; and that, the Finance Department is authorized to pay the cost of \$366,889.81 for OPW 52938, from the 2014 Transportation Bond Fund 13184, Transportation Bonds Organization 117117 – [see attached](#).

Motion by Festersen that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

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

RESOLUTION # 1136 - ADOPTED 7-0

22. Res. that, as recommended by the Mayor, the Program Agreement between the City of Omaha and the Nebraska Department of Roads for the 2017 Maintenance Repair Project, Highway North 64, Maple Street to Cuming Street, known as M-64-7(1016), State Control No. 22665, OPW 53023, being roadway resurfacing and repair work; with the City's share of the project cost, estimated to be \$258,300.00, to be paid from the Street and Highway Allocation Fund 12131, Street Improvement Organization 116165, is hereby approved; and that the City Council hereby authorizes the Mayor and City Clerk to sign the attached Agreement on behalf of the City of Omaha – [see attached](#).

Motion by Festersen that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

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

RESOLUTION # 1137 - ADOPTED 7-0

23. Res. that, as recommended by the Mayor, the Professional Services Agreement with Siebein Associates, Inc. for an acoustical analysis of the proposed outdoor gun range to be potentially located at the Omaha Public Safety Training Center, 11616 Rainwood Road, Omaha, is hereby approved; and that the Finance Department is authorized to pay Siebein Associates, Inc. the amount of \$70,484.00 for these professional engineering services from the 2010 Public Facility Bond Fund 13245, Police Capital Organization 131592 – [see attached](#).

Motion by Festersen that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

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

RESOLUTION # 1138 - ADOPTED 7-0

24. Res. that, the attached Deferred Payment Loan and Grant Agreement, as recommended by the Mayor, to provide funding in the amount of \$33,500.00 for the rehabilitation and lead reduction work to the property located at 1609 North 35th Street, Omaha, Nebraska, 68111, owned by Bojan Ninkovic, a single person, 7901 South 22nd Avenue, Bellevue, Nebraska 68147, is hereby approved. Funds in the amount of \$33,500.00 shall be paid from the NAHTF Program funds, NAHTF Fund No. 14-TFHP-7072, Organization No. 128101 – [see attached](#).

Motion by Festersen that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

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

RESOLUTION # 1139 - ADOPTED 7-0

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

* * * * *

ORDINANCES ON SECOND READING

25. Ord. approving an Interlocal Agreement between the City of Omaha, Douglas County, and Sarpy County involving the disbursement and receipt of money involving appropriations of more than one year in accordance with Section 5.17 of the Home Rule Charter of 1956, as amended; to provide for the terms and conditions under which Omaha is to cooperate with Douglas County and Sarpy County to provide Household Hazardous Waste services for the residents of Douglas and Sarpy County; to authorize the Finance Department to disburse and receive a cost share from Douglas County and Sarpy County not to exceed \$106,800 annually per participant according to the schedule contained within the Agreement; and to provide an effective date hereof – [see attached](#). ((PUBLIC HEARING TODAY))
(See Doc. # 1114 – August 9 Meeting)

CCID # 1114 – Public hearing was held today – Final reading set for August 23, 2016 as per City Charter requirements.

26. Ord. pursuant to Section 40-251 of the Omaha Municipal Code to amend an existing Class “B” Flammable Liquids Storage District, known as District No. B-193 at Greater Omaha Leasing, LLC, 4626 Dahlman Avenue as requested by Brenton J. Falgione; to increase the total capacity to 1,967 gallons of Class 2 liquid at that site; and to provide the effective date hereof – [see attached](#). ((PUBLIC HEARING TODAY))
(See Doc. # 1115 – August 9 Meeting)

CCID # 1115 – Public hearing was held today – Final reading set for August 23, 2016 as per City Charter requirements.

27. Spec. Ord. levying a special tax and assessment on certain lots, parts of lots and pieces of real estate in the City of Omaha to cover the cost of sidewalk snow removal in District No. SWSR 2016-01 – [see attached](#). ((PUBLIC HEARING TODAY))
(See Doc. # 1116 – August 9 Meeting)

CCID # 1116 – Public hearing was held today – Final reading set for August 23, 2016 as per City Charter requirements.

28. Spec. Ord. levying a special tax assessment for condemned buildings or structures in accordance with Section 48-93 of the Omaha Municipal Code on certain lots in the City of Omaha, Group No: 2016-01 – [see attached](#). ((PUBLIC HEARING TODAY))
(See Doc. # 1117 – August 9 Meeting)

CCID # 1117 – Public hearing was held today – Final reading set for August 23, 2016 as per City Charter requirements.

29. Ord. to amend Ordinance No. 40452, creating Road Maintenance District No. 745-22, in the City of Omaha, for the purpose of improving South 78th Avenue from Woolworth Avenue to Poppleton Avenue, to become a Street Improvement District; to change the type of improvement from an asphalt overlay to a permanent street improvement including grading, curbing and paving in Portland cement concrete; to authorize the Public Works Department to complete the associated improvement project; and to provide for an effective date hereof – [see attached](#). ((PUBLIC HEARING TO BE HELD ON THE THIRD READING ON 08/23/16))
(See Doc. # 1126 – August 9 Meeting)

CCID # 1126 – ORDINANCE ON SECOND READING – Final reading to be held August 23, 2016 as per City Charter requirements.

**“PURSUANT TO CITY COUNCIL RULE VII C
THE PUBLIC HEARINGS ON AGENDA ITEM NOS. 30
THROUGH 33 SHALL BE HELD ON THE SECOND READING”**

ORDINANCES ON FIRST READING

30. Ord. to approve a series of contracts to implement a new Human Resources Information System (HRIS) for the City of Omaha, the Lawson CloudSuite HRMS; to approve a Master Services Agreement and a SaaS Order Form between the City of Omaha and Infor (US), Inc., for a term of ten (10) years, with the first five years being at an annual cost of four hundred ninety-six thousand six hundred and thirty-one dollars and 94/100 (\$496,631.94) per year with such cost to increase by no more than 2% in the 6th year and no more than 3% in the 7th to 10th year; to approve an Installment Purchase Agreement with EverBank Commercial Finance, Inc. to finance the first three years of said installments into nine (9) quarterly payments with the first payment due October 1, 2017; to approve a Master Services Agreement and a Statement of Work with Ciber, Inc., a Delaware corporation for implementation of the Lawson CloudSuite HRMS program with an estimated total project cost of one million, one hundred and one thousand eight hundred and sixty dollars (\$1,101,860); to approve a Software License Agreement between the City of Omaha and MHC Software, Inc. in the amount of thirty-four thousand nine hundred and eighty dollars (\$34,980) with ongoing maintenance costs of six thousand eight hundred and thirty-six dollars and 40/100 (\$6,836.40) per year; to authorize the Finance Director to make payments in conformance therewith for the implementation with Ciber and the initial purchase from MHC from the 13112 Capital Improvement Fund, Organization 107071, and to make payments for the annual maintenance for Infor and MHC from the General Fund 11111, General Expense 119014; and to provide an effective date hereof – [see attached](#).

CCID # 1141 – Publication to be made and public hearing to be held on August 23, 2016 as per City Charter requirements.

31. Ord. to approve the acceptance of and authorize the disbursement from the FY2015 Assistance to Firefighters Grant Program, Award #EMW-2015-FR-00456, in the amount of two million, two hundred and sixty thousand, six hundred and seven dollars (\$2,260,607); a match of eighty-two thousand, three hundred and seventy-three dollars (\$82,373) provided by participating Douglas County fire departments and a match of one hundred forty-three thousand, six hundred and eighty-eight dollars (\$143,688) by the Omaha Fire Department (OFD) from Fund 11111, Organization 114511 (BFY2016 and 2017 OFD Grant Expense), and total program budget in the amount of two million, four hundred and eighty-six thousand, six hundred and sixty-eight dollars (\$2,486,668); during the project period of May 27, 2016 to May 26, 2017, to provide regional funding for 471 portable single-band radios, 22 portable dual-band radios, and accessories to be distributed to eight (8) professional and volunteer fire departments in Douglas County, including the Omaha Fire Department; to authorize payment from such grant funding and involving appropriations of more than one year in conformity with Section 5.17 of the Home Rule Charter; and, providing for the effective date hereof – [see attached](#).

CCID # 1144 – Publication to be made and public hearing to be held on August 23, 2016 as per City Charter requirements.

32. Ord. to authorize the acceptance of an agreement between Heartland Workforce Solutions (HWS), the Greater Omaha Workforce Development Area Provider, and ResCare Workforce Services in the amount of three million, three hundred and one thousand, three hundred and thirty-seven dollars (\$3,301,337); for youth, adult, and dislocated worker services at the Greater Omaha Workforce Development Area One Stop Center; 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](#).

CCID # 1142 – Publication to be made and public hearing to be held on August 23, 2016 as per City Charter requirements.

33. Ord. (1) to approve an agreement between the City of Omaha and Justice For Our Neighbors-Nebraska in the amount of twenty-four thousand dollars (\$24,000); and (2) to authorize funding for such agreement from the City of Omaha's FY 2015 STOP Violence Against Women (VAWA) Grant, Award #15-VW-0714, awarded by the Nebraska Crime Commission; to provide partial funding of one (1) full-time Managing Attorney and one (1) full-time Legal Services Provider as part of the Douglas County Community Response Team; involving appropriations of more than one year in conformity with Section 5.17 of the Home Rule Charter; and, providing for the effective date hereof – [see attached](#).

CCID # 1143 – Publication to be made and public hearing to be held on August 23, 2016 as per City Charter requirements.

* * * * *

EXECUTIVE SESSION

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

Motion by Festersen that the meeting be adjourned

Seconded by Jerram

ROLL CALL:

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

Motion Carried 7-0

ADJOURNED: 2:17 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 August 16, 2016.

WITNESS:

s/Sherri Brown

s/Buster Brown
CITY CLERK

THE PROCEEDINGS OF THIS MEETING WERE PRESENTED TO MAYOR JEAN STOTHERT ON THE 18TH DAY OF AUGUST, 2016.