

30TH REGULAR CITY COUNCIL MEETING

SEPTEMBER 20, 2016

THE CITY COUNCIL met in Regular Session on Tuesday, September 20, 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 # 1301 – Present: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

2. Pledge of Allegiance.

3. Invocation by Councilmember Pete Festersen of District No. 1.

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 September 16, 2016, notice re: Pre-Council and Regular City Council Meetings, September 20, 2016.

CCID # 1302 – 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 property located at 1113 North 72nd Street from LO-Limited Office District to LC-Limited Commercial District. ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))

(See Doc. # 1195 – August 30 and September 13 Meetings)

Notice of public hearing on September 20, 2016 published in the Daily Record on September 2, 2016. Ordinance passed on September 20, 2016 published in the Daily Record on September 28, 2016.

CCID # 1195 – Motion by Festersen that the Ordinance be passed

Seconded by Gernandt

ROLL CALL:

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

ORDINANCE # 40868 - PASSED 7-0

- (a) Planning Board and Planning Department recommend approval of a request to rezone property located at 1113 North 72nd Street from LO to LC – [see attached](#).

(See Doc. # 1196 – August 30 Meeting)

1195 – From Chair on File

6. Ord. to rezone property located at 909 South 107th Avenue from DR-Development Reserve District and CC-Community Commercial District to CC-Community Commercial District (portions of property are located within the Flood Fringe and Floodway Overlay District). ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))

(See Doc. # 1196 – August 30 and September 13 Meetings)

Notice of public hearing on September 20, 2016 published in the Daily Record on September 2, 2016. Ordinance passed on September 20, 2016 published in the Daily Record on September 28, 2016.

THE FOLLOWING PERSONS APPEARED AND SPOKE:

PROPONENT: Larry Jobeun, 11440 West Center Rd., Attorney for the applicant

OPPONENT: Vern Dolleck, 10730 Pacific St., Dolleck & Frederes, P.C.

FOR THE CITY: Dave Fanslau, Planning Department

CCID # 1196 – Motion by Jerram that the Ordinance be passed

Seconded by Gray

ROLL CALL:

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

Nay: Thompson

ORDINANCE # 40869 - PASSED 6-1

- (a) Planning Board and Planning Department recommend approval of a request to rezone property located at 909 South 107th Avenue from DR and CC to CC (portions of property are located within the Flood Fringe and Floodway Overlay District) – [see attached](#).
(See Doc. # 1196 – August 30 Meeting)

1196 – From Chair on File

- (b) Documentation submitted by Vern Dolleck, of Dolleck and Frederes, P.C., re: rezoning property located at 909 South 107th Avenue – [see attached](#).

1196 – From Chair on File

- 7. Res. that the preliminary plat entitled DMT, located at 909 South 107th Avenue, 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 8/30/16 for publication and public hearing – had publication – [see attached](#).
((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 1197 – August 30 Meeting)

THE FOLLOWING PERSONS APPEARED AND SPOKE:

PROPONENT: Larry Jobeun, 11440 West Center Rd., Attorney for the applicant
OPPONENT: Vern Dolleck, 10730 Pacific St., Dolleck & Frederes, PC
FOR THE CITY: Dave Fanslau, Planning Department

Motion by Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

Nay: Thompson

RESOLUTION # 1197 - ADOPTED 6-1

- (a) Planning Board and Planning Department recommend approval of the Preliminary Plat of DMT, a minor plat inside the city limits, located at 909 South 107th Avenue – Inside City – over from 8/30/16 – [see attached](#).
(See Doc. # 1197 – August 30 Meeting)

1197 – From Chair on File

8. Res. that the plat entitled DMT, located at 909 South 107th Avenue, is hereby approved and accepted – over from 8/30/16 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 1198 – August 30 Meeting)

THE FOLLOWING PERSONS APPEARED AND SPOKE:

PROPONENT: Larry Jobeun, 11440 West Center Rd., Attorney for the applicant
OPPONENT: Vern Dolleck, 10730 Pacific St., Dolleck & Frederes, PC
FOR THE CITY: Dave Fanslau, Planning Department

Motion by Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

Nay: Thompson

RESOLUTION # 1198 - ADOPTED 6-1

- (a) Planning Board and Planning Department recommend approval of the Final Plat of DMT, a minor plat inside the city limits, located at 909 South 107th Avenue – Inside City – over from 8/30/16 – [see attached](#).
(See Doc. # 1198 – August 30 Meeting)

1198 – From Chair on File

RESOLUTIONS RE: PRELIMINARY PLATS, PLATS AND SUBDIVISION AGREEMENTS

**“PURSUANT TO CITY COUNCIL RULE VII E
AGENDA ITEM NOS. 9 THROUGH 10 SHALL BE LAID OVER
TWO WEEKS FOR PUBLICATION AND PUBLIC HEARING”**

9. Res. that the preliminary plat entitled KOUNTZE COMMONS, located Southwest of 26th Avenue and Douglas Street, 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 October 4, 2016 published in the Daily Record on September 23, 2016.

CCID # 1305 – Over two weeks to October 4, 2016 for publication and public hearing pursuant to City Council Rule VII E.

- (a) Planning Board and Planning Department recommend approval of the Preliminary Plat of KOUNTZE COMMONS, located Southwest of 26th Avenue and Douglas Street – Inside City – [see attached](#).

1305 – Over to 10/4/16

- 10. Res. that the replat transmitted herewith entitled KOUNTZE COMMONS, located Southwest of 26th Avenue and Douglas Street, is hereby approved, and concurrently a portion of the existing plats entitled Perkins Subdivision Capitol Addition and Boggs and Hills Addition, and described on said replat, are hereby vacated – Inside City – [see attached](#).

Notice of Public Hearing on October 4, 2016 published in the Daily Record on September 23, 2016.

CCID # 1306 – Over two weeks to October 4, 2016 for publication and public hearing pursuant to City Council Rule VII E.

- (a) Planning Board and Planning Department recommend approval of the Final Plat of KOUNTZE COMMONS, located Southwest of 26th Avenue and Douglas Street – Inside City – [see attached](#).

1306 – Over to 10/4/16

* * * * *

**“PURSUANT TO CITY COUNCIL RULE VII E
AGENDA ITEM NOS. 11 THROUGH 14 SHALL
BE LAID OVER TWO WEEKS”**

- 11. Res. that the preliminary plat entitled MEIER ACRES, located Northeast of 132nd Street and Rainwood Road, along with the attached conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized – Outside City – [see attached](#).

CCID # 1508 – Over two weeks to October 4, 2016 pursuant to City Council Rule VII E.

- (a) Planning Board and Planning Department recommend approval of the Preliminary Plat of MEIER ACRES, located Northeast of 132nd Street and Rainwood Road – Outside City – [see attached](#).

1508 – Over to 10/4/16

- 12. Res. that the plat entitled MEIER ACRES, located Northeast of 132nd Street and Rainwood Road, is hereby approved and accepted – Outside City – [see attached](#).

CCID # 1509 – Over two weeks to October 4, 2016 pursuant to City Council Rule VII E.

- (a) Planning Board and Planning Department recommend approval of the Final Plat of MEIER ACRES, located Northeast of 132nd Street and Rainwood Road – Outside City – [see attached](#).

1509 – Over to 10/4/16

- 13. Res. that, the Subdivision Agreement between the City of Omaha and Vesta Properties, L.L.C., a Nebraska Limited Liability Company, as recommended by the Mayor, providing for the Watershed Management fees, and the waiver of the right to protest the creation of a future sidewalk improvement district, is hereby approved. The Subdivision is to be known as Meier Acres (Lot 1 and Outlot A) and is located northeast of 132nd Street and Rainwood Road – [see attached](#).

CCID # 1510 – Over two weeks to October 4, 2016 pursuant to City Council Rule VII E.

- 14. Res. that, the Subdivision Agreement among the City of Omaha, Kountze Endowment True Vision, LLC, a Nebraska Non-for-Profit Corporation, and Kountze Memorial Evangelical Lutheran Church of Omaha, Nebraska, Inc., a Nebraska Non-for-Profit Corporation, as recommended by the Mayor, providing for public improvements and sewer connection to the Omaha Sanitary Sewer System, is hereby approved. The Subdivision is to be known as Kountze Commons (Lots 1-2) and is located Southwest of 26th Avenue and Douglas Street – [see attached](#).

CCID # 1307 – Over two weeks to October 4, 2016 pursuant to City Council Rule VII E.

* * * * *

**“PURSUANT TO CITY COUNCIL RULE VII E
AGENDA ITEM NO. 15 SHALL BE LAID OVER
TWO WEEKS FOR PUBLICATION AND PUBLIC HEARING”**

SPECIAL USE PERMIT – CUSTOM MANUFACTURING

- 15. Res. that the Special Use Permit application submitted by Paul Janky for a Special Use Permit to allow Custom manufacturing in a CC-Community Commercial District (property is also located within the flood fringe overlay district), located at 4835 South 136th Street, 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 – [see attached](#).

Notice of Public Hearing on October 4, 2016 published in the Daily Record on September 23, 2016.

CCID # 1311 – Over two weeks to October 4, 2016 for publication and public hearing pursuant to City Council Rule VII E.

- (a) Planning Board and Planning Department recommend approval of the request of Paul Janky for a Special Use Permit to allow Custom manufacturing in a CC District (property is also located within the flood fringe overlay district), located at 4835 South 136th Street – [see attached](#).

1311 – Over to 10/4/16

* * * * *

LIQUOR

- 16. CLASS “C” – Brock II, Inc., dba “The New Frontier Bar”, 8516 North 30th Street. New application, Old location. Present licensee is Double “D” Corral, Inc., dba “D’s Frontier”, 8516 North 30th Street, 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))

Michael Brock, 8204 N. 28th Ave., appeared and spoke.

Motion by Festersen that the Resolution to GRANT be adopted

Seconded by Jerram

ROLL CALL:

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

RESOLUTION # 1303 - ADOPTED 7-0

- 17. Buck’s, Inc., dba “Bucky’s Express #40”, 107 South 40th Street, requests permission for the reconstruction of the interior of their present Package Liquor License location – [see attached](#). ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))

Steve Kapple, 16356 Grebe St., on behalf of Buck’s, Inc., appeared and spoke.

CCID # 1307 - Motion by Jerram that the request be approved

Seconded by Gernandt

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, 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. 18 through 23 were held on September 13, 2016.)

CONSENT AGENDA – ORDINANCES

18. Ord. to amend Section 23-177 of the Omaha Municipal Code by changing the title of the employment classification known as City Engineer to Assistant Director – Transportation Services and change the salary range for the classification from 29AEC (\$96,078-\$116,451) to 32AEC (\$108,860-\$129,655); to change the title of the employment classification known as Environmental Services Manager to Assistant Director – Environmental Services and change the salary range for the classification from 29AEC (\$96,078-\$116,451) to 32AEC (\$108,860-\$129,655); to repeal Section 23-177 as heretofore existing; and, to provide the effective date hereof – [see attached](#).
(See Doc. # 1232 – August 30 and September 13 Meetings)
Notice of public hearing on September 13, 2016 published in the Daily Record on September 2, 2016. Ordinance passed on September 20, 2016 published in the Daily Record on September 28, 2016.

CCID # 1232 – Motion by Gernandt that the Ordinance be passed
Seconded by Melton

ROLL CALL:

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

ORDINANCE # 40870 - PASSED 7-0

19. Ord. to amend Section 23-177 of the Omaha Municipal Code concerning employment classifications by adding the employment classification entitled Labor Relations Director - Assistant Human Resources Director with a salary range of ATT 2 (\$76,491.48-\$113,013.68 annually); to repeal Section 23-177 as heretofore existing; and, to provide the effective date hereof – [see attached](#).
(See Doc. # 1222 – August 30 and September 13 Meetings)
Notice of public hearing on September 13, 2016 published in the Daily Record on September 2, 2016. Ordinance passed on September 20, 2016 published in the Daily Record on September 28, 2016.

CCID # 1222 – Motion by Gernandt that the Ordinance be passed

Seconded by Melton

ROLL CALL:

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

ORDINANCE # 40871 - PASSED 7-0

20. Ord. to amend Section 23-177 of the Omaha Municipal Code concerning employment classifications by adding the employment classification entitled Deputy City Attorney - City Lobbyist with a salary range of ATT 3 (\$98,743.84-\$145,890.16); to repeal Section 23-177 as heretofore existing; and, to provide the effective date hereof – [see attached](#).

(See Doc. # 1233 – August 30 and September 13 Meetings)

Notice of public hearing on September 13, 2016 published in the Daily Record on September 2, 2016. Ordinance passed on September 20, 2016 published in the Daily Record on September 28, 2016.

CCID # 1233 – Motion by Gernandt that the Ordinance be passed

Seconded by Melton

ROLL CALL:

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

ORDINANCE # 40872 - PASSED 7-0

21. Ord. to approve the acceptance of and authorize disbursement over more than one fiscal year from the Nebraska Crime Commission, 2016-2017 Office of Violence Prevention (OVP), Award #16-VP-5005 in the amount of forty thousand dollars (\$40,000), during the project period of July 1, 2016 to June 30, 2017; to partially fund one (1) full-time Executive Director with the Police Athletics for Community Engagement (PACE) Program 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. # 1219 – August 30 and September 13 Meetings)

Notice of public hearing on September 13, 2016 published in the Daily Record on September 2, 2016. Ordinance passed on September 20, 2016 published in the Daily Record on September 28, 2016.

CCID # 1219 – Motion by Gernandt that the Ordinance be passed

Seconded by Melton

ROLL CALL:

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

ORDINANCE # 40873 - PASSED 7-0

22. Ord. (1) to approve an agreement between the City of Omaha and Police Athletics for Community Engagement (PACE) in the amount of forty thousand dollars (\$40,000); and (2) to authorize funding for such agreement from the City of Omaha's 2016-2017 Office of Violence Prevention (OVP) Grant, Award #16-VP-5005, awarded by the Nebraska Crime Commission; to provide partial funding for one (1) full-time Executive Director; involving appropriations of more than one year in conformity with Section 5.17 of the Home Rule Charter; and, providing for the effective date hereof – [see attached](#).

(See Doc. # 1220 – August 30 and September 13 Meetings)

Notice of public hearing on September 13, 2016 published in the Daily Record on September 2, 2016. Ordinance passed on September 20, 2016 published in the Daily Record on September 28, 2016.

CCID # 1220 – Motion by Gernandt that the Ordinance be passed

Seconded by Melton

ROLL CALL:

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

ORDINANCE # 40874 - PASSED 7-0

23. Ord. (1) to approve an agreement between the City of Omaha and the Women's Center for Advancement in the amount of seventeen thousand, two hundred five dollars (\$17,205); 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 Bilingual Victim Advocate and one (1) full-time Family Law Attorney 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](#).

(See Doc. # 1221 – August 30 and September 13 Meetings)

Notice of public hearing on September 13, 2016 published in the Daily Record on September 2, 2016. Ordinance passed on September 20, 2016 published in the Daily Record on September 28, 2016.

CCID # 1221 – Motion by Gernandt that the Ordinance be passed

Seconded by Melton

ROLL CALL:

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

ORDINANCE # 40875 - PASSED 7-0

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

* * * * *

(The public hearings on Agenda Item Nos. 24 through 38 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

24. Res. that, as recommended by the Mayor, Change Order No. 2 for McKinnis Roofing & Sheet Metal, Inc. to remove and replace deteriorated insulation for OPW 52826, being the Police Headquarters Roof Replacement, is hereby approved; and that, the Finance Department is authorized to pay an additional sum of \$20,774.00 for the changes to the contract from the 2010 Public Facilities Fund 13245, Police Fund Organization 131592 – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 1323 - ADOPTED 7-0

25. Res. that, as recommended by the Mayor, the contract with Midwest Excavating Services for OPW 52184A (CSO), being the Gilmore Avenue Landscape Improvements Project, is hereby approved; and that, the Finance Department is authorized to pay the cost of \$305,622.91 for OPW 52184A (CSO) from the Sewer Revenue Improvements Fund 21124, CSO Control Implementation Organization 116918. Sewer Revenue Bonds will be issued to finance this project – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 1312 - ADOPTED 7-0

26. Res. that, as recommended by the Mayor, the contract with Blade Masters Grounds Maintenance, Inc. for OPW 52998, being the Seeding/Sodding at Various Locations within the City of Omaha Project, is hereby approved; and that, the Finance Department is authorized to pay the cost of \$51,500.00 for OPW 52998 from the Street and Highway Allocation Fund 12131, Street Improvement Organization 116165 – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 1313 - ADOPTED 7-0

27. Res. that, as recommended by the Mayor, the Professional Services Agreement with Jackson-Jackson & Associates, Inc. for architectural and engineering design and construction management services for the remodeling of the existing Omaha Fire Station #34, 956 S. 48th Street, is hereby approved; and that, the Finance Department is authorized to pay Jackson-Jackson & Associates, Inc. \$44,400.00 for these professional architectural and engineering design and construction management services from the 2010 Public Facility Bond Fund 13245, Fire Capital Organization 114512 – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 1314 - ADOPTED 7-0

28. Res. that, as recommended by the Mayor, the Professional Services Agreement with Kimley-Horn and Associates, Inc. for data analysis, solution identification and development of design guidelines for the creation of a strategic plan for parking management within the City of Omaha, for a fee not to exceed \$99,616.00 which will be paid from the Parking Revenue Fund 21116, Organization 116183, is hereby approved – [see attached](#).

THE FOLLOWING PERSONS APPEARED AND SPOKE:

FOR THE CITY:

Bob Stubbe, Public Works Director

Ken Smith, Public Works Department

Motion by Jerram that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 1315 - ADOPTED 7-0

29. Res. that, as recommended by the Mayor, the Supplemental Agreement No. 1 with Lamp Rynearson & Associates for the Omaha McMillan Magnet Middle School Infrastructure Project, as part of the Safe Routes to School Program, located on Redick Avenue between 37th Street and 42nd Street and known as Federal Aid Project SRTS-28(93), State Control No. 22321, and OPW 52382, with Federal Funds to pay for 100% of the additional project costs of \$18,252.64, 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 Jerram that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 1316 - ADOPTED 7-0

30. Res. that, as recommended by the Mayor, the Agreement with the Omaha Public Power District to bury and relocate overhead distribution facilities within the project area for OPW 52607, being the Maple Street Improvements Project from 59th to 63rd Streets, is hereby approved; and that, the Finance Department is authorized to pay the cost of this relocation, estimated to be \$149,218.00, to be paid from the 2014 Transportation Bond Fund 13184, Transportation Bonds Organization 117117 – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 1317 - ADOPTED 7-0

31. Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Titan Machinery for the trade in of two (2) rubber tire loaders to be utilized by the Street Maintenance Division in the amount of \$64,000.00; and that, the Finance Department is authorized to pay the cost of this purchase from the Street and Highway Allocation Fund 12131, Pavement Maintenance Organization 116158, year 2016 funding – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 1318 - ADOPTED 7-0

32. Res. that, the application of 1402 Howard Street LLC c/o Eric Wieseler for a lease of City property adjacent to 1402 and 1410 Howard Street, Omaha, Nebraska for purposes of stairs and a ramp, as described on the application, be and hereby is approved, contingent upon continued compliance with all requirements made and provided by law; and, the Finance Department is directed to issue a billing statement and a lease form to the applicant for execution and return – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 1319 - ADOPTED 7-0

33. Res. that, the application of Dundee Underwood Properties LLC for a lease of City property adjacent to 5021 Underwood Avenue, Omaha, Nebraska for purposes of a fenced outdoor eating area, as described on the application, be and hereby is approved, contingent upon continued compliance with all requirements made and provided by law; and, the Finance Department is directed to issue a billing statement and a lease form to the applicant for execution and return – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 1320 - ADOPTED 7-0

34. Res. that, as recommended by the Mayor, the purchase of the Truck Chassis and Cab Mounted 75' Aerial Device in the total amount of \$162,556.00, is hereby approved, and the Purchasing Agent is authorized to issue a purchase order in conformance herewith. Funds in this amount shall be paid from the Parks and Recreation Fund No. 13355, Organization No. 117317, Parks and Cultures, for the 2016 fiscal year – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 1333 - ADOPTED 7-0

35. Res. that, as recommended by the Mayor, the purchase based upon the quote from Convergint Technologies in the amount of \$79,572.08, to install security cameras and prox-cards readers at the Omaha Police Department new Southwest Precinct located at 5051 South 135th Street, is hereby approved; and that, the Finance Department is authorized to pay \$79,572.08 for the cost of the security cameras and prox-card readers from Year 2016, Equitable Sharing Funds 17122, Organization 177772, Project 5101, Award 100387, Task C.1, Account 44116 Security Equipment – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 1321 - ADOPTED 7-0

36. Res. that, as recommended by the Mayor, the Omaha Convention and Visitors Bureau's appropriation in the amount of \$171,533.99 for housing commission to the Swim Trials, LLC for 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 \$171,533.99 from Fiscal Year 2016, Fund No. 21109, Organization No. 115921, Account No. 42252 – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 1326 - ADOPTED 7-0

37. Res. that, John Fullerton is reappointed to serve as a member of the Board of Directors of the City of Omaha Cable Television Access Corporation for a 3-year term commencing October 3, 2016 and expiring October 2, 2019 – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 1324 - ADOPTED 7-0

38. Res. that, Dennis P. Lee is reappointed to serve as a member of the Board of Directors of the City of Omaha Cable Television Access Corporation for a 3-year term commencing October 3, 2016 and expiring October 2, 2019 – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 1325 - ADOPTED 7-0

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

* * * * *

ORDINANCE ON FINAL READING

39. 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 – over from 9/13/16 – [see attached](#). ((PUBLIC HEARING HELD 7/19/16 – CAN BE PASSED TODAY))
(See Doc. # 961 – July 12, July 19, July 26, August 9 and August 13 Meetings)
Notice of public hearing on July 19, 2016 published in the Daily Record on July 15, 2016.

THE FOLLOWING PERSONS APPEARED AND SPOKE:

FOR THE CITY: Buster Brown, City Clerk
 Paul Kratz, City Attorney

Ordinance read

CCID # 961 – Motion by Jerram that the Ordinance be amended from 2.5 to 2.470%

Seconded by Gray

CCID # 1361 – Motion by Thompson that the City Council meeting be at recess at 2:45 P.M.

Seconded by Gernandt

ROLL CALL:

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

Motion Carried 7-0

CCID #1362

Roll Call after recess at 2:52 P.M.

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

CCID # 961 - Original motion that the Ordinance be amended from 2.5 to 2.470%

Yeas: Festersen, Jerram,

Nays: Melton, Pahls, Gernandt, Mr. President

Pass: Thompson

Motion LOST 2-4-1 Pass

CITY CLERK CALLS THE ROLL AGAIN:

Yeas: Festersen, Jerram,

Nays: Melton, Pahls, Gernandt, Mr. President

Pass: Thompson

Motion LOST 2-4-1 Pass

Councilmember Thompson passed due to he was conflicted

Motion by Gernandt that the Ordinance be passed

Seconded by Thompson

ROLL CALL:

Yeas: Thompson, Gernandt, Mr. President

Nays: Melton, Pahls, Festersen, Jerram

Motion LOST 3-4

RESOLUTIONS

40. Res. that, the 27th and Leavenworth (Northern Columbus Park) CRA located within Census Tract 19.00, Block Group 2; Census Tract 33.00, Block Groups 1 and 2; and Census Tract 39.00, Block Group 2, consisting of approximately 186.7 acres and generally described as Leavenworth and Mason Streets on the north, South 20th and South 24th Streets on the east, Interstate 480 on the west, and Woolworth Avenue on the south, is hereby declared to meet the standards of a substandard and blighted area in need of redevelopment in compliance with the requirements of Nebraska Community Development Law and is hereby designated a community redevelopment area – over from 8/30/16 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

Don Seten, Planning Department, appeared and spoke.

Motion by Jerram that the Resolution be adopted
Seconded by Festersen

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President
RESOLUTION # 1214 - ADOPTED 7-0

41. Res. that, the attached 3700 Dewey Tax Increment Financing (TIF) Redevelopment Project Plan for a redevelopment site located at 3625 Dewey Avenue which proposes the new construction of a single, 3-story structure consisting of 24 market-rate apartment units with garage parking stalls, recommending the City's participation through the allocation of TIF in an amount up to \$580,200.00 to offset TIF eligible expenses such as acquisition, architectural and engineering fees, site work: excavation/site utility connections/demolition, and public improvements as required with a contribution of \$15,000.00 of the TIF proceeds toward the Midtown Public Improvement Fund, to help offset the city's costs toward the Farnam Street 2-way conversion, but is subject to change as final costs come in, containing a provision for the division of ad valorem taxes under Section 18-2147 through 18-2150, Revised Statutes of Nebraska, as recommended by the City Planning Department, be and hereby is approved – over from 8/30/16 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

Bridget Hadley, Planning Department, appeared and spoke.

Motion by Jerram that the Resolution be adopted
Seconded by Gray

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President
RESOLUTION # 1215 - ADOPTED 7-0

42. Res. that, the attached Ames Row Houses Tax Increment Financing (TIF) Redevelopment Project Plan for a redevelopment site located at 5801 Fowler Avenue which proposes the construction of twelve townhome-style residential units arranged in three structures that will contain four units each, recommending the City's participation through the allocation of TIF in an amount up to \$90,433.00. TIF will be used to offset TIF eligible expenses such as site demolition, building rehabilitation, utilities, architectural and engineering fees, and public improvements as required, but is subject to change as final costs come in, containing a provision for the division of ad valorem taxes under Section 18-2147 through 18-2150, Revised Statutes of Nebraska, as recommended by the City Planning Department, be and hereby is approved – over from 8/30/16 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

THE FOLLOWING PERSONS APPEARED AND SPOKE:

PROPONENT: Neeraj Agarwal, 144 S. 39th St., Clarity Development
FOR THE CITY: Don Seten, Planning Department

Motion by Gernandt that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

RESOLUTION # 1216 - ADOPTED 7-0

43. Res. that, the attached Hupmobile & Holiday Inn Express Tax Increment Financing (TIF) Redevelopment Project Plan for a redevelopment site located southwest of 24th Avenue and Farnam Street proposes to completely redevelop the entire site which will consist of the rehabilitation of the Hupmobile building into office space on the first floor and eight (8) loft-style, market-rate apartments on the second floor in addition to parking space, and the new construction of a 5-story Holiday Inn Express with 100 guest rooms and approximately 90 parking spaces, recommending the City's participation through the allocation of TIF in an amount up to \$4,000,000.00 to offset TIF eligible expenses such as acquisition, architectural and engineering fees, site work, eligible rehabilitation costs for the Hupmobile building and public improvements as required, but is subject to change as final costs come in, containing a provision for the division of ad valorem taxes under Section 18-2147 through 18-2150, Revised Statutes of Nebraska, as recommended by the City Planning Department, be and hereby is approved – over from 8/30/16 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

Bridget Hadley, Planning Department, appeared and spoke.

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

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

RESOLUTION # 1217 - ADOPTED 7-0

44. Res. that, the attached The Duke of Omaha Tax Increment Financing (TIF) Redevelopment Project Plan for a redevelopment site located at 151 North 46th Street which proposes the conversion and redevelopment of an industrial site for the new construction of five, four-story multi-family structures consisting of 283 market-rate apartments units: studios, one- and two-bedrooms, apartment amenities, and approximately 451 parking spaces, recommending the City's participation through the allocation of TIF in an amount up to \$7,150,828.00 to offset TIF eligible expenses such as acquisition, special foundations, architectural and engineering fees, site prep, geotechnical and environmental costs, architectural and engineering fees, eligible studies/reports, and public improvements as required, but is subject to change as final costs come in, containing a provision for the division of ad valorem taxes under Section 18-2147 through 18-2150, Revised Statutes of Nebraska, as recommended by the City Planning Department, be and hereby is approved – over from 8/30/16 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

THE FOLLOWING PERSONS APPEARED AND SPOKE:

PROPONENT: Larry Jobeun, 11440 West Center Rd., Attorney for
the developer

FOR THE CITY: Bridget Hadley, Planning Department

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

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

RESOLUTION # 1218 - ADOPTED 7-0

45. Res. that, the City of Omaha supports, endorses and approves a nomination by the Durham Museum, in cooperation with the National Park Service, of Omaha Union Station for designation as a National Historic Landmark – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

Christi Janssen, 801 S. 10th St., The Durham Museum, appeared and spoke.

Motion by Jerram that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 1332 - ADOPTED 7-0

**“PURSUANT TO CITY COUNCIL RULE VII D
THE PUBLIC HEARINGS ON AGENDA ITEM NOS. 46
THROUGH 55 SHALL BE HELD ON THE THIRD READING”**

ZONING ORDINANCES ON SECOND READING

46. Ord. to rezone the property located at 1054 South 20th Street from GI-General Industrial District to DS-Downtown Service District.
(See Doc. # 1277 – September 13 Meeting)

CCID # 1277 – ORDINANCE ON SECOND READING – Final reading to be held September 27, 2016 as per City Charter requirements.

47. Ord. to rezone property located Southwest of 24th Avenue and Farnam Street from DS-Downtown Service District to CBD-Central Business District (property is also located within an ACI-1(PL)-Area of Civic Importance Overlay District).
(See Doc. # 1278 – September 13 Meeting)

CCID # 1278 – ORDINANCE ON SECOND READING – Final reading to be held September 27, 2016 as per City Charter requirements.

48. Ord. to amend the boundaries of the MCC-Major Commercial Corridor Overlay District, to incorporate into that district the property located at 7400 Military Avenue; and, to provide for an effective date – [see attached](#).
(See Doc. # 1282 – September 13 Meeting)

CCID # 1282 – ORDINANCE ON SECOND READING – Final reading to be held September 27, 2016 as per City Charter requirements.

49. Ord. to rezone property located Southwest of 132nd Street and Westwood Lane from CC-Community Commercial District to LO-Limited Office District.
(See Doc. # 1279 – September 13 Meeting)

CCID # 1279 – ORDINANCE ON SECOND READING – Final reading to be held September 27, 2016 as per City Charter requirements.

50. Ord. to amend the boundaries of the MCC-Major Commercial Corridor Overlay District, to incorporate into that district the property located Southwest of 132nd Street and Westwood Lane; and, to provide for an effective date – [see attached](#).
(See Doc. # 1280 – September 13 Meeting)

CCID # 1280 – ORDINANCE ON SECOND READING – Final reading to be held September 27, 2016 as per City Charter requirements.

51. Ord. to rezone the properties located at 13633 Miami Street and 13624 Ohio Street from R3-Single-Family Residential District (Medium Density) to R4-Single-Family Residential District (High Density).
(See Doc. # 1281 – September 13 Meeting)

CCID # 1281 – ORDINANCE ON SECOND READING – Final reading to be held September 27, 2016 as per City Charter requirements.

52. Ord. to rezone property located at 1120 North 205th Street from CC-Community Commercial District to GC-General Commercial District.
(See Doc. # 1283 – September 13 Meeting)

CCID # 1283 – ORDINANCE ON SECOND READING – Final reading to be held September 27, 2016 as per City Charter requirements.

53. Ord. to approve a Development Agreement for property located at 1120 North 205th Street between the City of Omaha and Inter-Tech Collision Centers, providing site development standards; and, to provide for an effective date – [see attached](#).
(See Doc. # 1285 – September 13 Meeting)

CCID # 1285 – ORDINANCE ON SECOND READING – Final reading to be held September 27, 2016 as per City Charter requirements.

54. Ord. to approve an Amendment to the Present Development Zone Map included in the Urban Development Element of the City's Master Plan, to include a site located northwest of 212th and "F" Streets; and, to provide for the effective date hereof – [see attached](#).
(See Doc. # 1286 – September 13 Meeting)

CCID # 1286 – ORDINANCE ON SECOND READING – Final reading to be held September 27, 2016 as per City Charter requirements.

55. Ord. to approve a PUR-Planned Unit Redevelopment Overlay District in a R8-High-Density Multiple-Family Residential District (property is also located within an ACI-1(PL)-Area of Civic Importance Overlay District), located at 3625 Dewey Avenue, to approve the Development Plan; and, to provide for an effective date – [see attached](#).
(See Doc. # 1288 – September 13 Meeting)

CCID # 1288 – ORDINANCE ON SECOND READING – Final reading to be held September 27, 2016 as per City Charter requirements.

* * * * *

ORDINANCES ON SECOND READING and Planning Board Attachments

56. Ord. vacating a portion of 11th Street beginning at the southeast corner of Lot 1, Block 0, The Capitol District Replat Subdivision, as surveyed, platted, and recorded in Douglas County, Nebraska, thence N02°28'34"W a distance of 79.88 feet, thence N77°41'28"W a distance of 103.38 feet, thence S02°31'07"E a distance of 53.18 feet, thence S87°20'39"W a distance of 100.00 feet to the point of beginning containing 6,652 square feet; and, providing the effective date hereof – [see attached](#). ((PUBLIC HEARING TODAY))
(See Doc. # 1273 – September 13 Meeting)

CCID # 1273 – Public hearing was held today – Final reading set for September 27, 2016 as per City Charter requirements.

- (a) Planning Board and Planning Department recommend approval of the vacation of an irregular portion of 11th Street right-of-way located north of Davenport Street (containing 6,652 square feet) – Inside City – [see attached](#).
(See Doc. # 1273 – September 13 Meeting)

1273 – Over to 9/27/16

57. Ord. vacating that part of 204th Street right-of-way lying within the northwest ¼ of the southwest ¼ of Section 7, T15N, R11E of the 6th P.M., Douglas County, Nebraska, described as follows: beginning at the intersection of the south line of Blondo Parkway and the east line of 204th Street, said point being 120.00 feet east of the west line of said northwest ¼; thence east (assumed bearing) 60.51 feet on the south line of Blondo Parkway; thence S06°35'47"E 241.24 feet; thence southwesterly on a 125.00 foot radius curve to the right, chord bearing S20°09'59"W, chord distance 112.57 feet, an arc distance of 116.77 feet; thence S46°55'45"W 29.91 feet to a point on the east line of 204th Street, said point being 147.56 feet east of the west line of said northwest ¼; thence N06°08'00"W 257.95 feet; thence north 109.26 feet on a line 120.00 feet east of and parallel with the west line of said northwest ¼ to the point of beginning, containing 23,359 square feet; and, providing the effective date hereof – [see attached](#). ((PUBLIC HEARING TODAY))
(See Doc. # 1274 – September 13 Meeting)

CCID # 1274 – Public hearing was held today – Final reading set for September 27, 2016 as per City Charter requirements.

- (a) Planning Board and Planning Department recommend approval of the vacation of an irregular portion of 204th Street right-of-way located southeast of 204th Street and Blondo Parkway (containing 0.54 acres) – Inside City – [see attached](#).
(See Doc. # 1274 – September 13 Meeting)

1274 – Over to 9/27/16

ORDINANCES ON SECOND READING

58. Ord. to approve a contract involving appropriations of more than one year in conformity with Section 5.17 of the Home Rule Charter with First National Bank, to provide Banking services for the City of Omaha; and, to provide for the effective date hereof – [see attached](#). ((PUBLIC HEARING TODAY))
(See Doc. # 1292 – September 13 Meeting)

CCID # 1292 – Public hearing was held today – Final reading set for September 27, 2016 as per City Charter requirements.

59. Ord. to approve a contract between the City of Omaha and the Elkhorn Public Schools for the City to provide, through its assignment, one Associate School Resource Officer and a marked police cruiser, subject to the availability of such cruiser and Elkhorn's needs, 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 twenty (20) hours per week while school is in session during the regular school year, from August 17, 2016 and ending at the close of the 2016 - 2017 school year; reimbursement from the Elkhorn Public Schools to the City will be in the amount of \$31.00 per hour for the officer, not to exceed \$24,314.00; and, to provide for an effective date hereof – [see attached](#). ((PUBLIC HEARING TODAY))
(See Doc. # 1238 – September 13 Meeting)

CCID # 1238 – Public hearing was held today – Final reading set for September 27, 2016 as per City Charter requirements.

60. Ord. to approve and authorize payment from the City of Omaha to Tutor.Com of money from appropriations of more than one year in accordance with Sections 5.16 and 5.17 of the Home Rule Charter of the City of Omaha, 1956; to provide for payment from a certain account to Tutor.Com, for Tutor.Com Learning Suite Services in an amount not to exceed \$106,383, to be in effect from 2016 through 2018, commencing upon the passage of this ordinance for Tutor.Com Learning Suite Services; and, to provide an effective date hereof – [see attached](#). ((PUBLIC HEARING TODAY))
(See Doc. # 1245 – September 13 Meeting)

CCID # 1245 – Public hearing was held today – Final reading set for September 27, 2016 as per City Charter requirements.

61. Ord. (1) to approve an agreement between the City of Omaha and the City of Lincoln, Lincoln Police Department in the amount of nine thousand, one hundred dollars (\$9,100); 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 funding for proactive specialized overtime operations as part of the 2015 Project Safe Neighborhoods Grant Program; 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](#). ((PUBLIC HEARING TODAY))
(See Doc. # 1239 – September 13 Meeting)

CCID # 1239 – Public hearing was held today – Final reading set for September 27, 2016 as per City Charter requirements.

**“PURSUANT TO CITY COUNCIL RULE VII D
THE PUBLIC HEARING ON AGENDA ITEM NO. 62
SHALL BE HELD ON THE THIRD READING”**

ZONING ORDINANCE ON FIRST READING and Planning Board Attachment

62. Ord. to rezone the property located at 6404 North 70th Plaza from R5-Urban Family Residential District and R7-Medium-Density Multiple-Family Residential District to R7-Medium-Density Multiple-Family Residential District.

CCID # 1322 – Publication to be made and public hearing and third reading to be held on October 4, 2016 as per City Charter requirements.

(a) Planning Board and Planning Department recommend approval of a request to rezone the property located at 6404 North 70th Plaza from R5 and R7 to R7 – [see attached](#).

1322 – Over to 10/4/16

* * * * *

**“PURSUANT TO CITY COUNCIL RULE VII C
THE PUBLIC HEARINGS ON AGENDA ITEM NOS. 63 THROUGH
68 SHALL BE HELD ON THE SECOND READING”**

ORDINANCES ON FIRST READING

63. Ord. supplementing and amending Ordinance No. 37507, which authorizes the City of Omaha to issue Sanitary Sewerage System Revenue Bonds for the purpose of providing funds for the improvements to the City’s sanitary sewerage system; and, providing for the effective date thereof – [see attached](#).

CCID # 1328 – Publication to be made and public hearing to be held on September 27, 2016 as per City Charter requirements.

64. Ord. supplemental to Ordinance No. 37507 authorizing and directing an issue as Additional Bonds in one or more series of not to exceed an aggregate principal amount of Forty-Three Million Five Hundred Thousand Dollars (\$43,500,000) Sanitary Sewerage System Revenue Refunding Bonds, of the City of Omaha, Nebraska, to be termed for identification purposes “Sanitary Sewerage System Revenue Refunding Bonds, Series of 2016”, for the purpose of providing funds for the prepayment and redemption of certain outstanding obligations of the City of Omaha with respect to the City of Omaha’s sanitary sewerage system; prescribing the form of the bonds; covenanting to maintain and collect rates and charges for the use and services of the system; pledging the revenue derived from the operation of the system, including all extensions and improvements thereto and equipping thereof, to the payment of the cost of operating and maintaining the system, to the deposits required by Ordinance No. 35840, as supplemented, by Ordinance No. 37507, as previously supplemented, and by this ordinance, to the payment of the principal of and interest on the bonds as the same fall due; covenanting to carry out all other covenants and agreements of this ordinance; limiting the payment of the bonds solely to the system revenues; creating and establishing funds and accounts; authorizing the sale of the bonds by negotiation; providing for continuing disclosure, making other covenants and agreements in connection with the foregoing; and appointing a Paying Agent and Registrar; and providing for the effective date thereof – [see attached](#).

CCID # 1329 – Publication to be made and public hearing to be held on September 27, 2016 as per City Charter requirements.

65. Ord. to approve an Administrative Services Agreement between the City of Omaha and Blue Cross and Blue Shield of Nebraska (BCBSNE) for the provision of administrative services for the City’s self-insured health program in accordance with the lowest and best proposal submitted, for a period of three years commencing on January 1, 2017 and ending on December 31, 2019, with an option for two one-year extensions; to authorize the execution of such Agreement; to authorize payments in accordance therewith from General Fund 11111, Health Care Expense Account 41331, Organizations 118014, 118015, and 118018; and, to provide an effective date – [see attached](#).

CCID # 1327 – Publication to be made and public hearing to be held on September 27, 2016 as per City Charter requirements.

66. Ord. to approve the acceptance of and authorize disbursement over more than one fiscal year from the Nebraska Crime Commission, FY 2015 Federal Title II Grant, Award #15-JJ-0004, in the amount of nine thousand, nine hundred dollars (\$9,900), during the project period extending from July 1, 2016 to June 30, 2017; to provide funding for the Omaha Fire Department (OFD) Youth Firesetters Program, focusing on youth fire safety education, arson prevention, and increased information sharing with juvenile justice service providers as detailed in the attached grant application; to authorize payment from such grant funding and involving appropriations of more than one year in conformity with Section 5.17 of the Home Rule Charter; and, providing for the effective date hereof – [see attached](#).

CCID # 1330 – Publication to be made and public hearing to be held on September 27, 2016 as per City Charter requirements.

67. Ord. to amend Omaha Municipal Code Chapter 11 by adding a new Article X entitled “Mobile Food Vendors,” consisting of new sections 11-331 through 11-341; to regulate, and require licenses for, mobile food vendors; and, to provide the effective date thereof – [see attached](#).

CCID # 1290 – Publication to be made and public hearing to be held on September 27, 2016 as per City Charter requirements.

68. Ord. to change City Council District boundaries, pursuant to Nebraska Revised Statute Sections 14-201.03 (Reissue 2012) and 32-553 (Reissue 2008); to repeal the City Council District boundaries as heretofore existing; and, to provide the effective date thereof – [see attached](#).

CCID # 1331 – Publication to be made and public hearing to be held on September 27, 2016 as per City Charter requirements.

* * * * *

EXECUTIVE SESSION

69. 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 Gray

ROLL CALL:

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

Motion Carried 7-0

ADJOURNED: 3:47 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 September 20, 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 SEPTEMBER, 2016.