

31ST REGULAR CITY COUNCIL MEETING

SEPTEMBER 27, 2016

THE CITY COUNCIL met in Regular Session on Tuesday, September 27, 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 # 1334 – Roll Call: Pahls, Thompson, Festersen, Gernandt, Jerram, Melton, Mr. President

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 September 23, 2016, notice re: Pre-Council and Regular City Council Meetings, September 27, 2016.

CCID # 1335 – 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.

ORDINANCES ON SECOND READING RE: BONDS

5. 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](#). ((PUBLIC HEARING TODAY))
(See Doc. # 1328 – September 20 Meeting)

CCID # 1328 – Public hearing was held today – Final reading set for October 4, 2016 as per City Charter requirements.

6. 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](#). ((PUBLIC HEARING TODAY))
(See Doc. # 1329 – September 20 Meeting)

CCID # 1329 – Public hearing was held today – Final reading set for October 4, 2016 as per City Charter requirements.

ZONING ORDINANCES ON FINAL READING AND Planning Board Attachments

7. Ord. to rezone the property located at 1054 South 20th Street from GI-General Industrial District to DS-Downtown Service District. ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 1277 - September 13 and September 20 Meetings)
Notice of public hearing on September 27, 2016 published in the Daily Record on September 16, 2016. Ordinance passed on September 27, 2016 published in the Daily Record on October 5, 2016.

Grace Longley, Megumi, LLC, 1325 Lynnwood Ln., appeared and spoke.

CCID # 1277 – Motion by Jerram that the Ordinance be passed

Seconded by Festersen

ROLL CALL:

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

ORDINANCE # 40876 - PASSED 7-0

- (a) Planning Board and Planning Department recommend approval of a request to rezone the property located at 1054 South 20th Street from GI to DS – [see attached](#).
(See Doc. # 1277 - September 13 Meeting)

1277 - From Chair on File

- 8. 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). ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 1278 - September 13 and September 20 Meetings)
Notice of public hearing on September 27, 2016 published in the Daily Record on September 16, 2016. Ordinance passed on September 27, 2016 published in the Daily Record on October 5, 2016.

CCID # 1278 – Motion by Jerram that the Ordinance be passed

Seconded by Festersen

ROLL CALL:

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

ORDINANCE # 40877 - PASSED 7-0

- (a) Planning Board and Planning Department recommend approval of a request 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 attached](#).
(See Doc. # 1278 - September 13 Meeting)

1278 - From Chair on File

- (b) Communication in support of rezoning the property located Southwest of 24th Avenue and Farnam Street – [see attached](#).

1278 - From Chair on File

9. 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](#). ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 1288 - September 13 and September 20 Meetings)
Notice of public hearing on September 27, 2016 published in the Daily Record on September 16, 2016. Ordinance passed on September 27, 2016 published in the Daily Record on October 5, 2016.

David Levy, Baird Holm, 1700 Farnam St., Attorney for the applicant, appeared and spoke.

CCID # 1288 – Motion by Jerram that the Ordinance be passed
Seconded by Festersen

ROLL CALL:

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

ORDINANCE # 40878 - PASSED 7-0

- (a) Planning Board and Planning Department recommend approval of a PUR-Planned Unit Redevelopment Overlay District in a R8 District (property is also located within an ACI-1(PL) Overlay District), located at 3625 Dewey Avenue – [see attached](#).
(See Doc. # 1288 - September 13 Meeting)

1288 - From Chair on File

10. 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](#). ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 1282 - September 13 and September 20 Meetings)
Notice of public hearing on September 27, 2016 published in the Daily Record on September 16, 2016. Ordinance passed on September 27, 2016 published in the Daily Record on October 5, 2016.

Dave Fanslau, Planning Department, appeared and spoke.

CCID # 1282 – Motion by Melton that the Ordinance be passed
Seconded by Festersen

ROLL CALL:

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

ORDINANCE # 40879 - PASSED 7-0

- (a) Planning Board and Planning Department recommend approval of a MCC-Major Commercial Corridor Overlay District for the property located at 7400 Military Avenue – [see attached](#).
(See Doc. # 1282 - September 13 Meeting)

1282 - From Chair on File

11. Ord. to rezone property located Southwest of 132nd Street and Westwood Lane from CC-Community Commercial District to LO-Limited Office District. ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 1279 - September 13 and September 20 Meetings)
Notice of public hearing on September 27, 2016 published in the Daily Record on September 16, 2016. Ordinance passed on September 27, 2016 published in the Daily Record on October 5, 2016.

THE FOLLOWING PERSONS APPEARED AND SPOKE:

PROPOSERS: Larry Jobeun, 11440 W. Center Rd., Attorney for the applicant
Margaret Blum, GreenbergFarrow, 21 S. Evergreen Ave., Suite #200, Arlington Heights, IL
OPPOSER: Joseph Tigani, 3361 S. 134th St.

CCID # 1279 – Motion by Thompson that the Ordinance be passed
Seconded by Melton

ROLL CALL:

Yeas: Pahls, Thompson, Festersen, Gernandt, Jerram, Melton, Mr. President
ORDINANCE # 40880 - PASSED 7-0

12. 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](#). ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 1280 - September 13 and September 20 Meetings)
Notice of public hearing on September 27, 2016 published in the Daily Record on September 16, 2016. Ordinance passed on September 27, 2016 published in the Daily Record on October 5, 2016.

THE FOLLOWING PERSONS APPEARED AND SPOKE:

PROPOSERS: Larry Jobeun, 11440 W. Center Rd., Attorney for the applicant
Margaret Blum, GreenbergFarrow, 21 S. Evergreen Ave., Suite #200, Arlington Heights, IL
OPPOSER: Joseph Tigani, 3361 S. 134th St.

CCID # 1280 – Motion by Thompson that the Ordinance be passed
Seconded by Melton

ROLL CALL:

Yeas: Pahls, Thompson, Festersen, Gernandt, Jerram, Melton, Mr. President
ORDINANCE # 40881 - PASSED 7-0

- (a) Planning Board and Planning Department recommend approval of a request to rezone property located Southwest of 132nd Street and Westwood Lane from CC to LO with approval of an MCC Overlay District – [see attached](#).
(See Doc. # 1280 - September 13 Meeting)

1280 - From Chair on File

13. 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). ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 1281 - September 13 and September 20 Meetings)
Notice of public hearing on September 27, 2016 published in the Daily Record on September 16, 2016. Ordinance passed on September 27, 2016 published in the Daily Record on October 5, 2016.

CCID # 1281 – Motion by Melton that the Ordinance be passed

Seconded by Thompson

ROLL CALL:

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

ORDINANCE # 40882 - PASSED 7-0

- (a) Planning Board and Planning Department recommend approval of a request to rezone the properties located at 13633 Miami Street and 13624 Ohio Street from R3 to R4 – [see attached](#).
(See Doc. # 1281 - September 13 Meeting)

1281 - From Chair on File

14. Ord. to rezone property located at 1120 North 205th Street from CC-Community Commercial District to GC-General Commercial District. ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 1283 - September 13 and September 20 Meetings)
Notice of public hearing on September 27, 2016 published in the Daily Record on September 16, 2016. Ordinance passed on September 27, 2016 published in the Daily Record on October 5, 2016.

THE FOLLOWING PERSONS APPEARED AND SPOKE:

PROPOSERS: Bill Stott, The Architectural Offices, 4610 Dodge St.

Tom Wortman, Inter-Tech, 21812 Hillandale

CCID # 1283 – Motion by Thompson that the Ordinance be passed

Seconded by Melton

ROLL CALL:

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

ORDINANCE # 40883 - PASSED 7-0

- (a) Planning Board and Planning Department recommend approval of a request to rezone property located at 1120 North 205th Street from CC to GC – [see attached](#).
(See Doc. # 1283 - September 13 Meeting)

1283 - From Chair on File

15. 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](#). ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 1285 - September 13 and September 20 Meetings)
Notice of public hearing on September 27, 2016 published in the Daily Record on September 16, 2016. Ordinance passed on September 27, 2016 published in the Daily Record on October 5, 2016.

THE FOLLOWING PERSONS APPEARED AND SPOKE:

PROPOSERS: Bill Stott, The Architectural Offices, 4610 Dodge St.
Tom Wortman, Inter-Tech, 21812 Hillandale

CCID # 1285 – Motion by Thompson that the Ordinance be passed
Seconded by Melton

ROLL CALL:

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

ORDINANCE # 40884 - PASSED 7-0

16. Res. that the Special Use Permit application submitted by William Stott for a Major Amendment to a Special Use Permit (assumed) to allow Body and fender repair services in a GC-General Commercial District located at 1120 North 205th 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 – over from 9/13/16 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 1284 - September 13 Meeting)

THE FOLLOWING PERSONS APPEARED AND SPOKE:

PROPOSERS: Bill Stott, The Architectural Offices, 4610 Dodge St.
Tom Wortman, Inter-Tech, 21812 Hillandale

Motion by Thompson that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

RESOLUTION # 1284 - ADOPTED 7-0

- (a) Planning Board and Planning Department recommend approval of the request of William Stott for a Major Amendment to a Special Use Permit (assumed) to allow Body and fender repair services in a GC-General Commercial District located at 1120 North 205th Street – over from 9/13/16 – [see attached](#).

(See Doc. # 1284 - September 13 Meeting)

1284 - From Chair on File

- 17. 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](#). ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))

(See Doc. # 1286 - September 13 and September 20 Meetings)

Notice of public hearing on September 27, 2016 published in the Daily Record on September 16, 2016. Ordinance passed on September 27, 2016 published in the Daily Record on October 5, 2016.

Larry Jobeun, 11440 W. Center Rd., Attorney for the applicant, appeared and spoke.

CCID # 1286 – Motion by Melton that the Ordinance be passed

Seconded by Thompson

ROLL CALL:

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

ORDINANCE # 40885 - PASSED 7-0

- (a) Planning Board and Planning Department recommend approval of an Amendment to the Urban Development Element of the Master Plan to move the Present Development Zone boundary to include a site located northwest of 212th and "F" Streets – [see attached](#).

(See Doc. # 1286 - September 13 Meeting)

1286 - From Chair on File

- 18. Res. that the preliminary plat entitled WHISPER RIDGE, located Northwest of 212th and "F" Streets, along with the attached conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized – Outside City – over from 9/13/16 – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 1287 – September 13 Meeting)

Larry Jobeun, 11440 W. Center Rd., Attorney for the applicant, appeared and spoke.

Motion by Melton that the Resolution be adopted

Seconded by Thompson

ROLL CALL:

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

RESOLUTION # 1287 - ADOPTED 7-0

- (a) Planning Board and Planning Department recommend approval of the Preliminary Plat of WHISPER RIDGE, located Northwest of 212th and "F" Streets – Outside City – over from 9/13/16 – [see attached](#).
(See Doc. # 1287 - September 13 Meeting)

1287 - From Chair on File

SPECIAL USE PERMIT – DAY CARE SERVICES (GENERAL)

- 19. Res. that the Special Use Permit application submitted by Merlyn Menjivar, for a Special Use Permit to allow Day care services (general) in a HI-Heavy Industrial District located at 2221 Washington 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 – over from 9/13/16 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 1275 – September 13 Meeting)

Dave Fanslau, Planning Department, appeared and spoke.

Motion by Gernandt that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

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

RESOLUTION # 1275 - ADOPTED 7-0

- (a) Planning Board and Planning Department recommend approval of a Special Use Permit to allow Day care services (general) in a HI-Heavy Industrial District located at 2221 Washington Street – over from 9/13/16 – [see attached](#).
(See Doc. # 1275 – September 13 Meeting)

1275 – From Chair on File

SPECIAL USE PERMIT – SMALL GROUP LIVING (NONDISABLED)

20. Res. that the Special Use Permit application submitted by Brandt Weatherly, for a Special Use Permit to allow Small group living (nondisabled) in a R2-Single-Family Residential District (low density) for property located at 12112 Leavenworth Road, 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 9/13/16 for publication and public hearing – had publication – [see attached](#).
(PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY)
(See Doc. # 1276 – September 13 Meeting)

THE FOLLOWING PERSONS APPEARED AND SPOKE:

PROPOSERS: John Liebgott, 12112 Leavenworth Rd.
Brandt Weatherly, 12112 Leavenworth Rd.
Jeff Kuhns, 12086 Leavenworth Rd.
Steve Bottum, 12068 Leavenworth Rd.
James Burke, 813 Grey Fawn Dr.

OPPOSERS: Ellen Lessmann, 821 S. 121st St.
Noreen Abrahamson, 630 S. 122nd St.
Pat Barrett, 802 S. 121st St.
Beth Kaiser, 12412 Deer Hollow Dr.
Lynn Bonge, 12324 Deer Hollow Dr.

FOR THE CITY: Dave Fanslau, Planning Department
Paul Kratz, City Attorney

CCID # 1276 – Motion by Thompson that the Resolution NOT be adopted
Seconded by Melton

ROLL CALL:

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

- (a) Planning Board and Planning Department recommend approval of a Special Use Permit to allow Small group living (nondisabled) in a R2-Single-Family Residential District (low density) located at 12112 Leavenworth Road – over from 9/13/16 – [see attached](#).
(See Doc. # 1276 – September 13 Meeting)

1276 – From Chair on File

- (b) Petition submitted by Neighbors for Single Family Homes opposing the Application to repurpose the single family use of the home at 12112 Leavenworth Road by special use permit that would allow for Small Group Living – [see attached](#).

1276 – From Chair on File

- (c) Communications in support of the Special Use Permit to allow Small Group living (nondisabled) located at 12112 Leavenworth Road – [see attached](#).

1276 – From Chair on File

- (d) Communications in opposition of the Special Use Permit to allow Small Group living (nondisabled) located at 12112 Leavenworth Road – [see attached](#).

1276 – From Chair on File

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. 21 through 26 were held on September 20, 2016.)

CONSENT AGENDA – ORDINANCES

21. 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](#).
(See Doc. # 1273 – September 13 and September 20 Meetings)

Notice of public hearing on September 20, 2016 published in the Daily Record on September 16, 2016. Ordinance passed on September 27, 2016 published in the Daily Record on October 5, 2016.

CCID # 1273 – Motion by Gernandt that the Ordinance be passed
Seconded by Festersen

ROLL CALL:

Yeas: Pahls, Thompson, Festersen, Gernandt, Jerram, Melton, Mr. President
ORDINANCE # 40886 - PASSED 7-0

- (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 and September 20 Meetings)

1273 – From Chair on File

- 22. Ord. vacating that part of 204th Street right-of-way lying within the northwest $\frac{1}{4}$ of the southwest $\frac{1}{4}$ 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 $\frac{1}{4}$; 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 $\frac{1}{4}$; 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 $\frac{1}{4}$ to the point of beginning, containing 23,359 square feet; and, providing the effective date hereof – [see attached](#).
(See Doc. # 1274 – September 13 and September 20 Meetings)

Notice of public hearing on September 20, 2016 published in the Daily Record on September 16, 2016. Ordinance passed on September 27, 2016 published in the Daily Record on October 5, 2016.

CCID # 1274 – Motion by Gernandt that the Ordinance be passed
Seconded by Festersen

ROLL CALL:

Yeas: Pahls, Thompson, Festersen, Gernandt, Jerram, Melton, Mr. President
ORDINANCE # 40887 - PASSED 7-0

- (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 and September 20 Meetings)

1274 – From Chair on File

23. 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](#).

(See Doc. # 1292 – September 13 and September 20 Meetings)

Notice of public hearing on September 20, 2016 published in the Daily Record on September 16, 2016. Ordinance passed on September 27, 2016 published in the Daily Record on October 5, 2016.

CCID # 1292 – Motion by Gernandt that the Ordinance be passed

Seconded by Festersen

ROLL CALL:

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

ORDINANCE # 40888 - PASSED 7-0

24. 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](#).

(See Doc. # 1238 – September 13 and September 20 Meetings)

Notice of public hearing on September 20, 2016 published in the Daily Record on September 16, 2016. Ordinance passed on September 27, 2016 published in the Daily Record on October 5, 2016.

CCID # 1238 – Motion by Gernandt that the Ordinance be passed

Seconded by Festersen

ROLL CALL:

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

ORDINANCE # 40889 - PASSED 7-0

25. 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](#).

(See Doc. # 1245 – September 13 and September 20 Meetings)

Notice of public hearing on September 20, 2016 published in the Daily Record on September 16, 2016. Ordinance passed on September 27, 2016 published in the Daily Record on October 5, 2016.

CCID # 1245 – Motion by Gernandt that the Ordinance be passed
Seconded by Festersen

ROLL CALL:

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

ORDINANCE # 40890 - PASSED 7-0

26. 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](#).

(See Doc. # 1239 – September 13 and September 20 Meetings)

Notice of public hearing on September 20, 2016 published in the Daily Record on September 16, 2016. Ordinance passed on September 27, 2016 published in the Daily Record on October 5, 2016.

CCID # 1239 – Motion by Gernandt that the Ordinance be passed
Seconded by Festersen

ROLL CALL:

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

ORDINANCE # 40891 - PASSED 7-0

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

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(The public hearings on Agenda Item Nos. 27 through 44 are today. If you wish to address the City Council regarding these items, please come to the microphone, indicate the Agenda Item Number you wish to address, identify yourself by your name, address, who you represent, and if you are a proponent or opponent.)

CONSENT AGENDA – RESOLUTIONS

27. Res. that, as recommended by the Mayor, the Professional Services Agreement with Thiele Geotechnical Engineering for professional services associated with OPW 52648, being the Missouri River Wastewater Treatment Plant Combined Sewer Overflow Improvements Schedule B2 Project, is hereby approved; and that, the Finance Department is authorized to pay Thiele Geotechnical Engineering a fee not to exceed \$643,599.00 for these professional services 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 Festersen that the Resolution be adopted

Seconded by Gernandt

ROLL CALL:

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

RESOLUTION # 1336 - ADOPTED 7-0

28. Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Gene Steffy Auto Group for two (2) Dodge Ram truck chassis with regular cab, dual rear wheels 19,000 GVW to be utilized by the Sewer Maintenance Division in the amount of \$85,102.00; and that, the Finance Department is authorized to pay the cost of this purchase from the Fund 116511, Sewer Maintenance Organization 21121, year 2016 funding – [see attached](#).

Motion by Festersen that the Resolution be adopted

Seconded by Gernandt

ROLL CALL:

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

RESOLUTION # 1337 - ADOPTED 7-0

29. Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Matt Friend Truck Equipment, Inc. in the total amount of \$26,170.00 for two Stainless Steel Dump Body, Hoist, and Tool Pack for 19,000 GVW Truck to be utilized by the City of Omaha Sewer Maintenance Division; and that, the Finance Department is authorized to pay the cost of this equipment from the Sewer Revenue Fund 21121, Maintenance Organization 116511, year 2016 expenditures – [see attached](#).

Motion by Festersen that the Resolution be adopted

Seconded by Gernandt

ROLL CALL:

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

RESOLUTION # 1338 - ADOPTED 7-0

30. Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Smith Fertilizer and Grain d/b/a SFG Road Maintenance for the purchase of 10,000 gallons of Agricultural-based De-Icing Material and 10,000 gallons of Calcium Chloride Brine to be utilized by the Street Maintenance Division in the amount of \$21,500.00; and that, the Finance Department is authorized to pay the cost of this purchase from the Street and Highway Allocation Fund 12131, Snow and Ice Control Organization 116154, year 2016 funding – [see attached](#).

Motion by Festersen that the Resolution be adopted

Seconded by Gernandt

ROLL CALL:

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

RESOLUTION # 1357 - ADOPTED 7-0

31. Res. that, the attached contract with TAB Construction Co. for OPW 52901-SSD, Parking Lot at 24th and Patrick Avenue in the amount of \$236,805.50 is hereby approved and the Finance Department is authorized to pay \$236,805.50 from FY 2013 North 24th Street Arts, Culture and Commerce Development and FY 2015 North 24th Street Arts, Culture and Commerce District, Fund No. 12186, Organization No. 128072 – [see attached](#).

Motion by Festersen that the Resolution be adopted

Seconded by Gernandt

ROLL CALL:

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

RESOLUTION # 1365 - ADOPTED 7-0

32. Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Karlyn Co. for the 3810 South 13th Street City of Omaha Exterior Paint Stabilization Program Project; and that, the Finance Department is authorized to pay \$24,475.00 from the City of Omaha – U.S. EPA Cooperative Agreement No. V-97748601-0 out of Lead Hazard Fund 12136, Organization 128104 – [see attached](#).

Motion by Festersen that the Resolution be adopted

Seconded by Gernandt

ROLL CALL:

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

RESOLUTION # 1339 - ADOPTED 7-0

33. Res. that, the nomination of “Scott Drive” as a commemorative street name on 67th Street between Pacific Street and Pine Street is hereby approved; and, the Public Works Department is authorized to erect the acceptable sign(s) therefore, in compliance with all applicable local and state statutes, ordinances or regulations, and policies with all costs to be borne by the applicant – [see attached](#).

Motion by Festersen that the Resolution be adopted

Seconded by Gernandt

ROLL CALL:

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

RESOLUTION # 1340 - ADOPTED 7-0

34. Res. that, the attached Agreement, as recommended by the Mayor, between the City of Omaha and the African American Empowerment Network, Inc., a Nebraska non-profit corporation, 2221 North 24th Street, Omaha, Nebraska 68110, in the amount of \$500,000.00 for partial funding of its Step Up Omaha Job Training and Work Experience Program for the period from January 1, 2016 through December 31, 2016, is hereby approved. Funds shall be paid from the FY 2016 Community Development Block Grant Program, Fund No. 12186, Organization No. 128072 and Community Services General Fund Grant, Fund No. 11111, Organization No. 126064 – [see attached](#).

Motion by Festersen that the Resolution be adopted

Seconded by Gernandt

ROLL CALL:

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

RESOLUTION # 1348 - ADOPTED 7-0

35. Res. that, the attached Agreement, as recommended by the Mayor, between the City of Omaha and Family Housing Advisory Services, Inc., a Nebraska Non-profit Corporation, Teresa C. Hunter, Executive Director, 2401 Lake Street, Omaha, Nebraska 68111, in the amount of \$50,000.00 for funding support for its housing counseling program for the period from January 1, 2016 through December 31, 2016, is hereby approved. Funds shall be paid from the FY 2016 Community Development Block Grant, Housing Development Program, Fund No. 12186, and Organization No. 128072 – [see attached](#).

Motion by Festersen that the Resolution be adopted

Seconded by Gernandt

ROLL CALL:

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

RESOLUTION # 1358 - ADOPTED 7-0

36. Res. that, the attached Agreement, as recommended by the Mayor, between the City of Omaha and Omaha 100, Incorporated, a Nebraska Non-profit Corporation, Teresa C. Hunter, Authorized Representative, 2401 Lake Street, Omaha, Nebraska 68111, in the total amount of \$50,000.00 for operational support for its mortgage lending program for the period from January 1, 2016 through December 31, 2016, is hereby approved. Funds shall be paid from the FY 2016 Community Development Block Grant, Housing Development Program, Fund 12186, and Organization 128072 – [see attached](#).

Motion by Festersen that the Resolution be adopted

Seconded by Gernandt

ROLL CALL:

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

RESOLUTION # 1359 - ADOPTED 7-0

37. Res. that, the attached Deferred Payment Loan and Grant Agreement, as recommended by the Mayor, to provide funding in the amount of \$33,200.00 for the rehabilitation and lead reduction work to the property located at 6308 North 46th Avenue, Omaha, NE, 68104, owned by Jim Janovich, husband, and Courtney Janovich, wife, 18709 Edna, Omaha, Nebraska 68136, is hereby approved. Funds in the amount of \$33,200.00 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 Gernandt

ROLL CALL:

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

RESOLUTION # 1349 - ADOPTED 7-0

38. Res. that, the attached Deferred Payment Loan and Grant Agreement, as recommended by the Mayor, to provide funding in the amount of \$25,500.00 for the rehabilitation and lead reduction work to the property located at 3736 North 39th Street, Omaha, Nebraska, 68114, owned by Brisco Investments, LLC, a Nebraska limited liability company, Brian Cloudt, Member Representative, 5339 North 60th Street, Omaha, Nebraska 68104, is hereby approved. Funds in the amount of \$25,500.00 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 Gernandt

ROLL CALL:

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

RESOLUTION # 1350 - ADOPTED 7-0

39. 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 2715 ½ North 63rd Street, Omaha, Nebraska, 68104, owned by Richard L. Williamson, husband, and Cherie M. Williamson, wife, 315 South 68th Street, Omaha, NE 68132, 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 Gernandt

ROLL CALL:

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

RESOLUTION # 1351 - ADOPTED 7-0

40. Res. that, the attached Deferred Payment Loan and Grant Agreement, as recommended by the Mayor, to provide funding in the amount of \$24,500.00 for the rehabilitation and lead reduction work to the property located at 6609 Emmet Street, Omaha, Nebraska, 68104, owned by Michael S. Royce, Sr., husband, and Elaine M. Royce, wife, 1507 South 234th Street, Gretna, NE 68028, is hereby approved. Funds in the amount of \$24,500.00 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 Gernandt

ROLL CALL:

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

RESOLUTION # 1352 - ADOPTED 7-0

41. Res. that, as recommended by the Mayor, the Cooperative Agreement between the Omaha Human Rights and Relations Department and the U.S. Department of Housing and Urban Development for reimbursement for administrative costs and processing housing discrimination complaints arising within its jurisdiction for HUD for the time period of July 1, 2015 to September 30, 2016, in the amount of \$135,250.00 attached hereto as Exhibit "A", is hereby approved – [see attached](#).

Motion by Festersen that the Resolution be adopted

Seconded by Gernandt

ROLL CALL:

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

RESOLUTION # 1360 - ADOPTED 7-0

42. Res. that, as recommended by the Mayor, the agreement between Heartland Workforce Solutions and Geographic Solutions in the amount of sixty-four thousand, nine hundred fifty dollars (\$64,950) for the implementation of the Virtual OneStop system, is hereby approved. Further that, the agreement is Heartland Workforce Solutions' allocation of City of Omaha Community Service Programs funding and private foundation contributions – [see attached](#).

Motion by Festersen that the Resolution be adopted

Seconded by Gernandt

ROLL CALL:

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

RESOLUTION # 1363 - ADOPTED 7-0

43. Res. that, as recommended by the Mayor, the purchase from Motorola Solutions, the lowest bidder pursuant to State Contract 14534-OC, in the amount of Two Million, Four Hundred Eighty-six Thousand, Six Hundred Sixty-eight Dollars (\$2,486,668), for the purchase of 471 portable single band radios, 22 portable dual band radios, and accessories is hereby approved; and further that, the Finance Department of the City of Omaha is authorized to pay Motorola Solutions in the amount of Two Million, Four Hundred Eighty-six Thousand, Six Hundred Sixty-eight Dollars (\$2,486,668), for the purchase of 471 portable single band radios, 22 portable dual band radios, and accessories, budgeted from and funded in the amount of Two Million, Two Hundred Sixty Thousand, Six Hundred Seven Dollars (\$2,260,607) by the U.S. Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA), FY 2015 Assistance to Firefighters Grant Program, Award No. EMW-2015-FR-00456, Fund 12168, Org. 114515, a match provided by participating Douglas County Fire Departments in the amount of Eighty-two Thousand, Three Hundred Seventy-three Dollars (\$82,373), for which the City will be reimbursed, and a match provided by the Omaha Fire Department in the amount of One Hundred Forty-three Thousand, Six Hundred Eighty-eight Dollars (\$143,688) from Fund 11111, Org. 114515 – [see attached](#).

Motion by Festersen that the Resolution be adopted

Seconded by Gernandt

ROLL CALL:

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

RESOLUTION # 1364 - ADOPTED 7-0

44. Res. that, the appointment by Mayor Jean Stothert of Kathleen McCallister as a member of the Library Board to serve a three-year term commencing upon confirmation by the City Council, and expiring three years thereafter on June 30, 2019, be and hereby is confirmed and approved – [see attached](#).

Motion by Festersen that the Resolution be adopted

Seconded by Gernandt

ROLL CALL:

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

RESOLUTION # 1341 - ADOPTED 7-0

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

* * * * *

**“PURSUANT TO CITY COUNCIL RULE VII F
AGENDA ITEM NO. 45 SHALL BE LAID OVER THREE
WEEKS FOR PUBLICATION AND PUBLIC HEARING”**

RESOLUTION

45. Res. that, the attached HDR-Aksarben Village Zone 6 Tax Increment Financing (TIF) Redevelopment Project Plan for a redevelopment site located northeast of 67th and Frances Streets proposes the construction of a ten-story office tower as a new global HDR Headquarters, including approximately 18,000 square feet of retail space on the ground floor of the office tower, a 1,090 parking stall garage with 7,800 square feet of ground-level shops and restaurants, an elevated walkway connecting the office tower to the parking garage, and the "alleyway" common areas created by the adjacent office tower and parking garage structures, recommending the City’s participation through the allocation of TIF in an amount up to \$15,001,269.00 to offset TIF eligible expenses such as acquisition, site work, site utilities, special foundations, common area improvements, Aksarben Village Future Trust infrastructure allocations, architectural and engineering, surveys and public improvements in the project area for total estimated project costs of \$113,654,377.00, including reimbursement to the City of Omaha Public Works Department of \$580,982.00 from the TIF loan proceeds for off-site public infrastructure improvements made to the Aksarben Village Redevelopment Area, containing a provision for the division of ad valorem taxes under Section 18-2147 through 18-2150, Revised Statutes of Nebraska, as recommended by the City Planning Department, be and hereby is approved – [see attached](#).

Notice of public hearing on October 18, 2016 published in the Daily Record and Omaha World-Herald September 29, 2016 and October 6, 2016.

CCID # 1353 – Over three weeks to October 18, 2016 for publication and public hearing pursuant to City Council Rule VII F.

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**“PURSUANT TO CITY COUNCIL RULE VII D
THE PUBLIC HEARING ON AGENDA ITEM NO. 46
SHALL BE HELD ON THE THIRD READING”**

ZONING ORDINANCE ON SECOND READING

46. 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.
(See Doc. # 1322 – September 20 Meeting)

CCID # 1322 – ORDINANCE ON SECOND READING – Final reading to be held October 4, 2016 as per City Charter requirements.

* * * * *

ORDINANCES ON SECOND READING

47. 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](#). ((PUBLIC HEARING TODAY))
(See Doc. # 1327 – September 20 Meeting)

Ann Undajon, Human Resources Department, appeared and spoke.

CCID # 1327 – Public hearing was held today – Final reading set for October 4, 2016 as per City Charter requirements.

48. 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](#). ((PUBLIC HEARING TODAY))
(See Doc. # 1330 – September 20 Meeting)

CCID # 1330 – Public hearing was held today – Final reading set for October 4, 2016 as per City Charter requirements.

49. 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](#). ((PUBLIC HEARING TODAY))
(See Doc. # 1290 – September 20 Meeting)

Luis Jimenez, 3126 Chicago St., appeared and spoke.

CCID # 1290 – Motion by Thompson that the third reading be laid over three weeks to October 18, 2016 and continue the public hearing

Seconded by Melton

ROLL CALL:

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

- (a) Documentation submitted by Mike Moylan, of Shamrock Development, re: the proposed food truck ordinance – [see attached](#).

1290 – Over to 10/18/16

- (b) Communication from Cassie J. Paben, Mayor’s Office, requesting that the third reading be laid over three weeks to October 18, 2016 and continue the public hearing – [see attached](#).

1290 – From Chair on File

- (c) Communication opposing the proposed food truck ordinance – [see attached](#).

1290 – Over to 10/18/16

50. 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](#). ((PUBLIC HEARING TODAY))
(See Doc. # 1331 – September 20 Meeting)

CCID # 1331 – Public hearing was held today – Final reading set for October 4, 2016 as per City Charter requirements.

**“PURSUANT TO CITY COUNCIL RULE VII H
DUE TO NO MEETING BEING HELD OCTOBER 11, 2016
THE THIRD READING AND PUBLIC HEARINGS ON AGENDA ITEM
NOS. 51 THROUGH 52 SHALL BE HELD ON OCTOBER 18, 2016”**

ZONING ORDINANCES ON FIRST READING and Planning Board Attachments

51. Ord. to rezone the property located at 151 North 46th Street from GI-General Industrial District to R8-High-Density Multiple-Family Residential District.

CCID # 1342 – Publication to be made and public hearing and third reading to be held on October 18, 2016 pursuant to City Council Rule VII H.

- (a) Planning Board and Planning Department recommend approval of a request to rezone the property located at 151 North 46th Street from GI to R8 – [see attached](#).

1342 - Over to 10/18/16

52. Ord. to approve a PUR-Planned Unit Redevelopment Overlay District in a R8-High-Density Multiple-Family Residential District located at 151 North 46th Street, to approve the Development Plan, and, to provide for an effective date – [see attached](#).

CCID # 1343 – Publication to be made and public hearing and third reading to be held on October 18, 2016 pursuant to City Council Rule VII H.

- (a) Planning Board and Planning Department recommend approval of a PUR-Planned Unit Redevelopment Overlay District in a R8 District located at 151 North 46th Street – [see attached](#).

1343 - Over to 10/18/16

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**“PURSUANT TO CITY COUNCIL RULE VII C
THE PUBLIC HEARINGS ON AGENDA ITEM NOS. 53
THROUGH 56 SHALL BE HELD ON THE SECOND READING”**

ORDINANCES ON FIRST READING and Planning Board Attachments

53. Ord. vacating South 40th Street from the north right-of-way line of Leavenworth Street to the south right-of-way line of Jones Street, and providing the effective date hereof – [see attached](#).

CCID # 1344 – Publication to be made and public hearing to be held on October 4, 2016 as per City Charter requirements.

- (a) Planning Board and Planning Department recommend approval of the vacation of 40th Street from the north right-of-way line of Leavenworth Street to the south right-of-way line of Jones Street – Inside City – [see attached](#).

1344 – Over to 10/4/16

- 54. Ord. vacating Emile Street from the east right-of way line of Saddle Creek Road to the west right-of-way line of 42nd Street; 45th Street from the north right-of-way line of Emile Street to the north right-of-way line of Dewey Avenue, including the traffic circle; Dewey Avenue from the west right-of-way line of 45th Street to the east right-of-way line of 44th Street; and 44th Street from the south right-of-way line of Dewey Avenue to the south right-of-way line of Farnam Street; and providing the effective date hereof – [see attached](#).

CCID # 1345 – Publication to be made and public hearing to be held on October 4, 2016 as per City Charter requirements.

- (a) Planning Board and Planning Department recommend approval of the vacation of Emile Street from the east right-of-way line of Saddle Creek Road to the west right-of-way line of 42nd Street; 45th Street from the north right-of-way line of Emile Street to the north right-of-way line of Dewey Avenue, including the traffic circle; Dewey Avenue from the west right-of-way line of 45th Street to the east right-of-way line of 44th Street; and 44th Street from the south right-of-way line of Dewey Avenue to the south right-of-way line of Farnam Street – Inside City – [see attached](#).

1345 – Over to 10/4/16

ORDINANCES ON FIRST READING

- 55. Ord. declaring the necessity of appropriating, for the use of the City of Omaha, certain hereinafter described vacant and improved properties located in the Clifton Hill South Redevelopment Plan Area, an area generally defined by the alley between Lake and Ohio Streets on the north, 42nd Street on the east, Military Avenue/45th Street on the west, and Patrick Avenue on the south, for acquisition, relocation as appropriate, demolition of structures, preparation of sites, and subsequent use as sites for implementing the Clifton Hill South Redevelopment Plan by the construction of new single-family houses; provided that as to each specified parcel which cannot be obtained by negotiation, proceedings in eminent domain be undertaken and completed; project costs will be paid from FY 2015 Community Development Block Grant, Fund 12186, Organization No. 128072, Award 100276, Project 4793, and Task 10.1497; and, to provide the effective date hereof – [see attached](#).

CCID # 1346 – Publication to be made and public hearing to be held on October 4, 2016 as per City Charter requirements.

56. Ord. to amend Section 32-213 of the Omaha Municipal Code dealing with watershed management fees; to provide for watershed management fee charges for the period of July 1, 2013 and ongoing until such time as the fee schedule is further amended by the Omaha City Council; to repeal Section 32-213 of the Omaha Municipal Code as heretofore existing; and, to provide for the effective date hereof – [see attached](#).

CCID # 1347 – Publication to be made and public hearing to be held on October 4, 2016 as per City Charter requirements.

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RESOLUTIONS RE: VARIANCE AND PRELIMINARY PLATS

57. Res. that, the preliminary plat entitled 216TH AND F - EAST, located Southeast of 216th and “F” Streets, along with the attached conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized – Outside City – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

John Bachman, 10250 Regency Cir., Attorney for the applicant, appeared and spoke.

Motion by Melton that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

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

RESOLUTION # 1355 - ADOPTED 7-0

- (a) Planning Board and Planning Department recommend approval of the Preliminary Plat of 216TH AND F - EAST, located Southeast of 216th and “F” Streets – Outside City - [see attached](#)

1355 - From Chair on File

58. Res. that, the request of BHI Development for a variance from the Future Development Zone specifications of the Urban Development Element of the City of Omaha Master Plan for property located Southwest of 216th and “F” Streets and in conjunction with the proposed 216TH AND F STREET – WEST subdivision plat, as shown on Exhibit "A" attached hereto and made a part hereof by this reference, is hereby approved – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

John Bachman, 10250 Regency Cir., Attorney for the applicant, appeared and spoke.

Motion by Melton that the Resolution be adopted
Seconded by Festersen

ROLL CALL:

Yeas: Pahls, Thompson, Festersen, Gernandt, Jerram, Melton, Mr. President
RESOLUTION # 1354 - ADOPTED 7-0

- (a) Planning Board and Planning Department recommend approval of the variance from the Future Development Zone specifications of the Urban Development Element of the City of Omaha Master Plan, located Southwest of 216th and “F” Streets and in conjunction with the proposed 216TH AND F STREET – WEST subdivision plat – [see attached](#).

1354 - From Chair on File

- 59. Res. that, the preliminary plat entitled 216TH AND F - WEST, located Southwest of 216th and “F” Streets, along with the attached conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized – Outside City – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

John Bachman, 10250 Regency Cir., Attorney for the applicant, appeared and spoke.

Motion by Melton that the Resolution be adopted
Seconded by Festersen

ROLL CALL:

Yeas: Pahls, Thompson, Festersen, Gernandt, Jerram, Melton, Mr. President
RESOLUTION # 1356 - ADOPTED 7-0

- (a) Planning Board and Planning Department recommend approval of the Preliminary Plat of 216TH AND F - WEST, located Southwest of 216th and “F” Streets – Outside City – [see attached](#).

1356 - From Chair on File

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EXECUTIVE SESSION

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

Motion by Jerram that the meeting be adjourned

Seconded by Festersen

ROLL CALL:

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

Motion Carried 7-0

ADJOURNED: 3:41 P.M.

I, BUSTER BROWN, CITY CLERK OF THE CITY OF OMAHA, do hereby certify that the foregoing is a true and correct copy of the proceedings of the Meeting of the City Council of the City of Omaha held on September 27, 2016.

WITNESS:

s/Sherri Brown

s/Buster Brown
CITY CLERK

THE PROCEEDINGS OF THIS MEETING WERE PRESENTED TO MAYOR JEAN STOTHERT ON THE 29TH DAY OF SEPTEMBER, 2016.