

17th REGULAR OMAHA CITY COUNCIL MEETING

MAY 12, 2015

THE CITY COUNCIL met in Regular Session on Tuesday, May 21, 2015 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 Pete Festersen.

ROLL CALL

1. City Clerk calls the roll.

CCID # 576 – Present: Gray, Jerram, Melton, Pahls, Thompson, Gernandt, Mr. President

2. Pledge of Allegiance.

3. Invocation by Councilmember Aimee Melton of District No. 7.

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 May 8, 2015, notice re: Pre-Council and Regular City Council Meetings, May 12, 2015.

CCID # 577 – 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 RECEIVE 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 1502 and 1506 Mike Fahey Street from DS – Downtown Service District to CBD – Central Business District. ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 528 – April 28 and May 5 Meetings)
Notice of public hearing on May 12, 2015 published in the Daily Record on May 1, 2015. Ordinance passed on May 12, 2015 published in the Daily Record on May 20, 2015.

Jason Thielen, E & A Consulting Group, 330 North 117th Street, appeared and spoke.

CCID # 528 – Motion by Gray that the Ordinance be passed
Seconded by Melton

ROLL CALL:

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

ORDINANCE # 40333 – PASSED 7-0

- (a) Planning Board and Planning Department recommend approval of a request to rezone property located at 1502 and 1506 Mike Fahey Street from DS – Downtown Service District to CBD – Central Business District. The property is also within an ACI-1(PL)-Area of Civic Importance Overlay District – [see attached](#).
(See Doc. # 528 – April 28 Meeting)

528 – From Chair on File

6. Ord. to rezone property located at 1515 Cuming Street from DS – Downtown Service District to CBD – Central Business District. ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 529 – April 28 and May 5 Meetings)
Notice of public hearing on May 12, 2015 published in the Daily Record on May 1, 2015. Ordinance passed on May 12, 2015 published in the Daily Record on May 20, 2015.

Jason Thielen, E & A Consulting Group, 330 North 117th Street, appeared and spoke.

CCID # 529 – Motion by Gray that the Ordinance be passed
Seconded by Melton

ROLL CALL:

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

ORDINANCE # 40334 – PASSED 7-0

- (a) Planning Board and Planning Department recommend approval of a request to rezone property located at 1515 Cuming Street from DS – Downtown Service District to CBD – Central Business District. The property is also within an ACI-1(PL)-Area of Civic Importance Overlay District – [see attached](#).
(See Doc. #529 – April 28 Meeting)

529 – From Chair on File

- 7. Ord. to amend the boundaries of the ACI-1(PL)-Area of Civic Importance Overlay District, to incorporate into that district the property located northeast of Cuming Street and 25th Avenue; and to provide for an effective date – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 530 – April 28 and May 5 Meetings)
Notice of public hearing on May 12, 2015 published in the Daily Record on May 1, 2015. Ordinance passed on May 12, 2015 published in the Daily Record on May 20, 2015.

Jason Thielen, E & A Consulting Group, 330 North 117th Street, appeared and spoke.

CCID # 530 – Motion by Gray that the Ordinance be passed

Seconded by Thompson

ROLL CALL:

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

ORDINANCE # 40335 – PASSED 7-0

- (a) Planning Board and Planning Department recommend approval of an amendment to the boundaries of the ACI-1(PL)-Area of Civic Importance Overlay District, to incorporate into that district the property located northeast of Cuming Street and 25th Avenue – [see attached](#).
(See Doc. # 530 – April 28 Meeting)

530 – From Chair on File

- 8. Ord. to rezone property located Northeast of Cuming Street and 25th Avenue from DR – Development Reserve District and R7 – Medium-Density Multiple-Family Residential District to CC – Community Commercial District. ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 531 – April 28 and May 5 Meetings)
Notice of public hearing on May 12, 2015 published in the Daily Record on May 1, 2015. Ordinance passed on May 12, 2015 published in the Daily Record on May 20, 2015.

Jason Thielen, E & A Consulting Group, 330 North 117th Street, appeared and spoke.

CCID # 531 – Motion by Gray that the Ordinance be passed

Seconded by Thompson

ROLL CALL:

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

ORDINANCE # 40336 – PASSED 7-0

- (a) Planning Board and Planning Department recommend approval of a request to rezone property located Northeast of Cuming Street and 25th Avenue from DR – Development Reserve District and R7 – Medium-Density Multiple-Family Residential District to CC – Community Commercial District. The property is also within an ACI-1(PL)-Area of Civic Importance Overlay District – [see attached](#). (See Doc. # 531 – April 28 Meeting)

531 – From Chair on File

9. Ord. to rezone the property located northwest of 30th Street and Sorensen Parkway from R4-Single Family Residential District (High-Density) and GI-General Industrial District to R4 – Single Family Residential District (High Density). ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY)) (See Doc. # 532 – April 28 and May 5 Meetings)
Notice of public hearing on May 12, 2015 published in the Daily Record on May 1, 2015. Ordinance passed on May 12, 2015 published in the Daily Record on May 20, 2015.

Bob Griffin, Ehrhart Griffin & Associates, 3552 Farnam Street, appeared and spoke.

CCID # 532 – Motion by Gray that the Ordinance be passed

Seconded by Jerram

ROLL CALL:

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

ORDINANCE # 40337 – PASSED 7-0

10. Ord. to amend the boundaries of the ACI-2(PL) district of the Areas of Civic Importance Overlay District, to incorporate into that district the property located northwest of 30th Street and Sorensen Parkway; and to provide for an effective date – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY)) (See Doc. # 533 – April 28 and May 5 Meetings)
Notice of public hearing on May 12, 2015 published in the Daily Record on May 1, 2015. Ordinance passed on May 12, 2015 published in the Daily Record on May 20, 2015.

Bob Griffin, Ehrhart Griffin & Associates, 3552 Farnam Street, appeared and spoke.

CCID # 533 – Motion by Gray that the Ordinance be passed

Seconded by Jerram

ROLL CALL:

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

ORDINANCE # 40338 – PASSED 7-0

- (a) Planning Board and Planning Department recommend approval of a request to rezone property located northwest of 30th Street and Sorensen Parkway from R4-Single Family Residential District (High-Density) and GI-General Industrial District to R4-Single Family Residential District (High-Density) and approval of an ACI-2(PL)-Area of Civic Importance Overlay District – [see attached](#).
(See Doc. # 533 – April 28 Meeting)

533 – From Chair on File

- 11. Res. that the preliminary plat entitled FORT OMAHA EXPANSION, located northwest of 30th Street and Sorensen Parkway, 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 4/28/15 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 534 – April 28 Meeting)

Bob Griffin, Ehrhart Griffin & Associates, 3552 Farnam Street, appeared and spoke.

Motion by Gray that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

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

Res. # 534 – ADOPTED 7-0

- (a) Planning Board and Planning Department recommend approval of the Preliminary Plat of FORT OMAHA EXPANSION, a minor plat inside the city limits, located northwest of 30th Street and Sorensen Parkway – Inside City – over from 4/28/15 – [see attached](#).
(See Doc. # 534 – April 28 Meeting)

534 – From Chair on File

- 12. Res. that the plat transmitted herewith entitled FORT OMAHA EXPANSION, a minor plat inside the city limits, located northwest of 30th Street and Sorensen Parkway, is hereby approved, and concurrently a portion of the existing plats entitled Fort Omaha Campus, Marine Force Reserves and O'Brien's Addition, and described on said replat, is hereby vacated – Inside City – over from 4/28/15 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 535 – April 28 Meeting)

Bob Griffin, Ehrhart Griffin & Associates, 3552 Farnam Street, appeared and spoke.

Motion by Gray that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

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

Res. # 535 – ADOPTED 7-0

- (a) Planning Board and Planning Department recommend approval of the Final Plat of FORT OMAHA EXPANSION, a minor plat inside the city limits, located northwest of 30th Street and Sorensen Parkway – Inside City – over from 4/28/15 – [see attached](#).
(See Doc. # 535 – April 28 Meeting)

535 – From Chair on File

- 13. Ord. to rezone property located southwest of 36th and Jones Streets from R7-Medium-Density Multiple-Family Residential District to R8-High-Density Multiple-Family Residential District. ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

(See Doc. # 536 – April 28 and May 5 Meetings)

Notice of public hearing on May 12, 2015 published in the Daily Record on May 1, 2015. Ordinance passed on May 12, 2015 published in the Daily Record on May 20, 2015.

THE FOLLOWING PERSONS APPEARED AND SPOKE:

Proponent: Larry Jobeun, 11440 West Center Road

Protestant: Rex Knutson, 700 South 35th Avenue

CCID # 536 – Motion by Jerram that the Ordinance be passed

Seconded by Gray

ROLL CALL:

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

ORDINANCE # 40339 – PASSED 7-0

- (a) Planning Board and Planning Department recommend approval of a request to rezone property located southwest of 36th and Jones Streets from R7-Medium-Density Multiple-Family Residential District to R8-High-Density Multiple-Family Residential District. The property is also within an ACI-1(PL)-Area of Civic Importance Overlay District – [see attached](#).
(See Doc. # 536 – April 28 Meeting)

536 – From Chair on File

- 14. Res. that the preliminary plat entitled COBURN'S SUBDIVISION REPLAT ONE, located southwest of 36th and Jones Streets, along with the attached conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized – Inside City – over from 4/28/15 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 537 – April 28 Meeting)

THE FOLLOWING PERSONS APPEARED AND SPOKE:

Proponent: Larry Jobeun, 11440 West Center Road

Protestant: Rex Knutson, 700 South 35th Avenue

Motion by Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

Res. # 537 – ADOPTED 7-0

- (a) Planning Board and Planning Department recommend approval of the Preliminary Plat of COBURN'S SUBDIVISION REPLAT ONE, a minor plat inside the city limits, located southwest of 36th and Jones Streets – Inside City – over from 4/28/15 – [see attached](#).
(See Doc. # 537 – April 28 Meeting)

537 – From Chair on File

- 15. Res. that the plat transmitted herewith entitled COBURN'S SUBDIVISION REPLAT ONE, a minor plat inside the city limits, located southwest of 36th and Jones Street, is hereby approved, and concurrently a portion of the existing plats entitled Coburn's Subdivision, and described on said replat, is hereby vacated – Inside City – over from 4/28/15 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 538 – April 28 Meeting)

THE FOLLOWING PERSONS APPEARED AND SPOKE:

Proponent: Larry Jobeun, 11440 West Center Road

Protestant: Rex Knutson, 700 South 35th Avenue

Motion by Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

Res. # 538 – ADOPTED 7-0

- (a) Planning Board and Planning Department recommend approval of the Final Plat of COBURN'S SUBDIVISION REPLAT ONE, a minor plat inside the city limits, located southwest of 36th and Jones Streets – Inside City – over from 4/28/15 – [see attached](#).
(See Doc. # 538 – April 28 Meeting)

538 – From Chair on File

- 16. Res. that, the Subdivision Agreement between the City of Omaha and Invest Omaha I, a Nebraska limited liability company, as recommended by the Mayor, providing for the public improvements and sewer connection to the Omaha Sanitary Sewer System, is hereby approved. The Subdivision is to be known as Coburn's Subdivision Replat One (Lots 1-2) and is located southwest of 36th and Jones Streets – over from 4/28/15 – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 539 – April 28 Meeting)

THE FOLLOWING PERSONS APPEARED AND SPOKE:

Proponent: Larry Jobeun, 11440 West Center Road

Protestant: Rex Knutson, 700 South 35th Avenue

Motion by Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

Res. # 539 – ADOPTED 7-0

- 17. Ord. to rezone property located at 4557 South 38th Street from GC-General Commercial District to CC-Community Commercial District. ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 540 – April 28 and May 5 Meetings)
Notice of public hearing on May 12, 2015 published in the Daily Record on May 1, 2015. Ordinance passed on May 12, 2015 published in the Daily Record on May 20, 2015.

CCID # 540 – Motion by Gernandt that the Ordinance be passed

Seconded by Gray

ROLL CALL:

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

ORDINANCE # 40340 – PASSED 7-0

18. Ord. to amend the boundaries of the MCC-Major Commercial Corridor Overlay District, to incorporate into that district the property located at 4557 South 38th Street; and to provide for an effective date – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))

(See Doc. # 541 – April 28 and May 5 Meetings)

Notice of public hearing on May 12, 2015 published in the Daily Record on May 1, 2015. Ordinance passed on May 12, 2015 published in the Daily Record on May 20, 2015.

CCID # 541 – Motion by Gernandt that the Ordinance be passed

Seconded by Gray

ROLL CALL:

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

ORDINANCE # 40341 – PASSED 7-0

- (a) Planning Board and Planning Department recommend approval of a request to rezone property located at 4557 South 38th Street from GC to CC with approval of an MCC Overlay District – [see attached](#). (See Doc. # 541 – April 28 Meeting)

541 – From Chair on File

19. Ord. to rezone the property located at 6033 P Street from DR-Development Reserve District to R4-Single-Family Residential District (High Density) (a portion of which property is located within a flood fringe overlay district). ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))

(See Doc. # 553 – April 28 and May 5 Meetings)

Notice of public hearing on May 12, 2015 published in the Daily Record on May 1, 2015. Ordinance passed on May 12, 2015 published in the Daily Record on May 20, 2015.

Tito Flores, 6033 P Street, appeared and spoke.

CCID # 553 – Motion by Gernandt that the Ordinance be passed

Seconded by Gray

ROLL CALL:

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

ORDINANCE # 40342 – PASSED 7-0

- (a) Planning Board and Planning Department recommend approval of a request to rezone the property located at 6033 P Street from DR-Development Reserve District to R4-Single-Family Residential District (High Density) (a portion of which property is located within a flood fringe overlay district) – [see attached](#).
(See Doc. # 553 – April 28 Meeting)

553 – From Chair on File

- 20. Ord. to rezone the property located at 7351 Bedford Avenue from R1 – Single-Family Residential District (Large Lot) to R4 – Single-Family Residential District (High-Density). ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 542 – April 28 and May 5 Meetings)
Notice of public hearing on May 12, 2015 published in the Daily Record on May 1, 2015. Ordinance passed on May 12, 2015 published in the Daily Record on May 20, 2015.

CCID # 542 – Motion by Gray that the Ordinance be passed

Seconded by Melton

ROLL CALL:

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

ORDINANCE # 40343 – PASSED 7-0

- (a) Planning Board and Planning Department recommend approval of a request to rezone property located at 7351 Bedford Avenue from R1 – Single-Family Residential District (Large Lot) to R4 – Single-Family Residential District (High-Density) – [see attached](#).
(See Doc. # 542 – April 28 Meeting)

542 – From Chair on File

- 21. Ord. to rezone the property located at 13617 Corby 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. # 543 – April 28 and May 5 Meetings)
Notice of public hearing on May 12, 2015 published in the Daily Record on May 1, 2015. Ordinance passed on May 12, 2015 published in the Daily Record on May 20, 2015.

Mitch Wismer, 3216 North 120th Court, #218, appeared and spoke.

CCID # 543 – Motion by Metlon that the Ordinance be passed

Seconded by Gray

ROLL CALL:

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

ORDINANCE # 40344 – PASSED 7-0

- (a) Planning Board and Planning Department recommend approval of a request to rezone the property located at 13617 Corby Street from R3 to R4 – [see attached](#).
(See Doc. # 543 – April 28 Meeting)

543 – From Chair on File

**“PURSUANT TO CITY COUNCIL RULE VII H
DUE TO NO MEETING BEING HELD MAY 26, 2015
AGENDA ITEM NO. 22
SHALL BE LAID OVER THREE WEEKS TO JUNE 2, 2015
FOR PUBLICATION AND PUBLIC HEARING”**

RESOLUTION RE: PRELIMINARY PLAT

22. Res. that the preliminary plat entitled THE COTTAGES OF OAKDALE ADDITION, a cluster subdivision inside the city limits, located at 9515 West Center Road, along with the attached conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized – Inside City – [see attached](#).
Notice of public hearing on June 2, 2015 published in the Daily Record on May 15, 2015.

CCID # 584 – Over three weeks to June 2, 2015 for publication and public hearing pursuant to City Council Rule VII H.

- (a) Planning Board and Planning Department recommend approval of the preliminary plat of THE COTTAGES OF OAKDALE ADDITION, a cluster subdivision inside the city limits, located at 9515 West Center Road – Inside City – [see attached](#).

584 – Over to 06/02/15

SPECIAL USE PERMIT – RESTAURANT (DRIVE-IN OR FAST FOOD)

23. Res. that the Special Use Permit application submitted by Woodsonia Real Estate Group, Inc, for a Special Use Permit to allow a Restaurant (drive-in or fast food) in a GI-General Industrial District (property also located within an ACI-2(65) – Area of Civic Importance Overlay District), located at 7425 Dodge 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 4/28/15 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

(See Doc. # 507 – April 28 Meeting)

THE FOLLOWING PERSONS APPEARED AND SPOKE:

Proponent: Jason Thielen, E & A Consulting Group, 330 North 117th Street

Protestants: Rex Knutson, 700 South 35th Avenue
Cyndonna Tefft, 7447 Farnam Street

For the City: Dave Fanslau, Planning Department

Motion by Melton that the Resolution be adopted

Seconded by Gray

ROLL CALL:

Yeas: Gray, Jerram, Melton, Pahls, Mr. President

Nays: Thompson, Gernandt

Res. # 507 – ADOPTED 5-2

- (a) Planning Board and Planning Department recommend approval of a Special Use Permit to allow a Restaurant (drive-in or fast food) in a GI-General Industrial District (property also located within an ACI-2(65) – Area of Civic Importance Overlay District) located at 7425 Dodge Street – over from 4/28/15 – [see attached](#).
(See Doc. # 507 – April 28 Meeting)

507 – From Chair on File

- (b) Communication opposing the Resolution to approve a Special Use Permit to allow a Restaurant (drive-in or fast food) in a GI-General Industrial District (property also located within an ACI-2(65) – Area of Civic Importance Overlay District) located at 7425 Dodge Street – [see attached](#).

507 – From Chair on File

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LIQUOR

24. CATERING – QB Group, LLC, dba “Harney Street Tavern”, 1215 Harney Street. New application, Old location. Presently holds a Class “C” Liquor License. Property posted: 05-04-15; Notification sent: 05-01-15 – [see attached](#). ((YOU HAVE YOUR HEARING ON THE APPLICATION BUT YOUR MOTION SHOULD BE TO ADOPT A RESOLUTION EITHER TO GRANT OR DENY))

Brady Brock, “QB Group, LLC, dba “Harney Street Tavern”, 1215 Harney Street, appeared and spoke.

Motion by Jerram that the Resolution to GRANT be adopted

Seconded by Gray

ROLL CALL:

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

Res. # 590 – ADOPTED 7-0

25. Stuwini, Inc., dba “Grant Street Bar”, 8919 Grant Street, requests permission for a Special Designated License for a beer garden on June 6, 2015 from 12:00 noon to 1:00 a.m. with music until 1:00 a.m. – [see attached](#). ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))

Michael Litwin, Stuwini, Inc., 7572 Charles Street, appeared and spoke.

CCID # 591 – Application read

Motion by Melton to amend the application to music ending at 12:00 midnight

Seconded by Thompson

ROLL CALL:

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

Motion Carried 7-0

Motion by Thompson that the request be APPROVED AS AMENDED

Seconded by Gernandt

ROLL CALL:

Yeas: Gray, Jerram, Melton, Pahls, Thompson, Gernandt, 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. 26 through 34 were held on April 28, 2015.)

CONSENT AGENDA – ORDINANCES

26. Ord. vacating Ida Circle (formerly known as Airport Drive), lying to the north of Ida Street, abutting Lot 19, Riverfront Industrial Park on the north; Lot 1, Riverfront Industrial Park Replat 6 on the south; and, Eppley Airfield Addition to the east, in the City of Omaha and providing the effective date hereof – [see attached](#).

(See Doc. # 544 – April 28 and May 5 Meetings)

Notice of public hearing on May 5, 2015 published in the Daily Record on May 1, 2015. Ordinance passed on May 12, 2015 published in the Daily Record on May 20, 2015.

CCID # 544 – Motion by Gray that the Ordinance be passed

Seconded by Jerram

ROLL CALL:

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

ORDINANCE # 40345 – PASSED 7-0

- (a) Planning Board and Planning Department recommend approval of the vacation of Ida Circle – lying to the north of Ida Street, abutting Lot 19, Riverfront Industrial Park on the north; Lot 1, Riverfront Industrial Park Replat 6 on the south and Eppley Airfield Addition to the east – Inside City – [see attached](#).

(See Doc. # 544 – April 28 and May 5 Meetings)

544 – From Chair on File

27. Ord. vacating the north/south alley west of 30th Street from Saratoga Street north 903.1 feet to a previously vacated alley, in the City of Omaha and providing the effective date hereof – [see attached](#).

(See Doc. # 545 – April 28 and May 5 Meetings)

Notice of public hearing on May 5, 2015 published in the Daily Record on May 1, 2015. Ordinance passed on May 12, 2015 published in the Daily Record on May 20, 2015.

CCID # 545 – Motion by Gray that the Ordinance be passed

Seconded by Jerram

ROLL CALL:

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

ORDINANCE # 40346 – PASSED 7-0

- (a) Planning Board and Planning Department recommend approval of the vacation of the north/south alley west of 30th Street from Saratoga Street north 903.1 feet to a previously vacated segment of the same alley – Inside City – [see attached](#).
(See Doc. # 545 – April 28 and May 5 Meetings)

545 – From Chair on File

28. Ord. approving a redevelopment and tax increment financing loan agreement between the City of Omaha and 5319 North, LLC, a Nebraska limited liability company, to implement the 30 Metropolitan Place Tax Increment Financing (TIF) Redevelopment Project Plan for a site generally located northeast of 30th and Fort Streets, which contains a total of six parcels: the former Mr. C's restaurant located at 5319 North 30th Street, the adjacent surface lot to the east and four other adjacent vacant lots, which proposes the demolition of the former Mr. C's restaurant and the construction of a new approximately 121,000 square feet, five-story, mixed-use structure to include 110 affordable, low-income housing tax credit apartment units, approximately 11,000 square feet of commercial space, 167 off-street parking stalls and additional on-street parking stalls; the agreement authorizes the use of up to \$1,000,000.00 in excess ad valorem taxes (TIF) generated by the development to help fund the cost of the project; and providing for an effective date – [see attached](#).
(See Doc. # 546 – April 28 and May 5 Meetings)
Notice of public hearing on May 5, 2015 published in the Daily Record on May 1, 2015. Ordinance passed on May 12, 2015 published in the Daily Record on May 20, 2015.

CCID # 546 – Motion by Gray that the Ordinance be passed

Seconded by Jerram

ROLL CALL:

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

ORDINANCE # 40347 – PASSED 7-0

29. Ord. approving a redevelopment and tax increment financing loan agreement between the City of Omaha and Omaha Blackstone 38-41 LLC, a Nebraska limited liability company, to implement the Blackstone Mixed-Use Tax Increment Financing (TIF) Redevelopment Project Plan located at 3824 Farnam Street and 401 South 41st Street, which proposes the demolition of existing structures and construction of a new, mixed-use structure with 51 market-rate apartment units and 4,000 square feet of commercial space at the Farnam Street site, and a new multi-family structure with 39 market-rate apartment units at the South 41st Street site, inclusive of on-and off-street parking at each site; the agreement authorizes the use of up to \$1,300,000.00 in excess ad valorem taxes (TIF) generated by the development to help fund the cost of the project; and providing for an effective date – [see attached](#).
(See Doc. # 547 – April 28 and May 5 Meetings)

Notice of public hearing on May 5, 2015 published in the Daily Record on May 1, 2015. Ordinance passed on May 12, 2015 published in the Daily Record on May 20, 2015.

CCID # 547 – Motion by Gray that the Ordinance be passed
Seconded by Jerram

ROLL CALL:

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

ORDINANCE # 40348 – PASSED 7-0

30. Ord. to accept the alternate bid of Deffenbaugh Industries, Inc., in the total amount of \$41,215.63, for portable chemical restroom service for park maintenance during the 2015 park season for the Parks, Recreation, and Public Property Department for a one-year period beginning April 1, 2015 and ending March 31, 2016, and to authorize the Purchasing Agent to issue a purchase order; and to provide an effective date – [see attached](#).

(See Doc. # 548 – April 28 and May 5 Meetings)

Notice of public hearing on May 5, 2015 published in the Daily Record on May 1, 2015. Ordinance passed on May 12, 2015 published in the Daily Record on May 20, 2015.

CCID # 548 – Motion by Gray that the Ordinance be passed
Seconded by Jerram

ROLL CALL:

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

ORDINANCE # 40349 – PASSED 7-0

31. Ord. to approve an agreement with and authorize the Purchasing Agent to issue a purchase order to Arrow Towing, Inc. for a Tow-In Contract effective upon issuance of a purchase order for three years, with the option to extend for a period of two additional years by the agreement of both parties, as the lowest and best bid received, to authorize payment from appropriations of more than one fiscal year, in accordance with the provisions of Section 5.17, Home Rule Charter of 1956, as amended; to provide for payments from a specific account; and to provide the effective date hereof – [see attached](#).

(See Doc. # 549 – April 28 and May 5 Meetings)

Notice of public hearing on May 5, 2015 published in the Daily Record on May 1, 2015. Ordinance passed on May 12, 2015 published in the Daily Record on May 20, 2015.

CCID # 549 – Motion by Gray that the Ordinance be passed
Seconded by Jerram

ROLL CALL:

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

ORDINANCE # 40350 – PASSED 7-0

32. Ord. to amend Section 23-177, to create Sections 23-569, 23-570, and 23-571 and to amend Section 22-76 of Chapters 22 and 23 of the Omaha Municipal Code to reflect changes negotiated between the City of Omaha and the Professional Fire Service Manager Association for the years 2015, 2016, 2017, and 2018; to provide that any ordinances of the City of Omaha, and any rules and regulations promulgated thereunder, which are in conflict with this ordinance shall not be applicable to those employees in Fire Management; and to provide the effective date hereof – [see attached](#).

(See Doc. # 550 – April 28 and May 5 Meetings)

Notice of public hearing on May 5, 2015 published in the Daily Record on May 1, 2015. Ordinance passed on May 12, 2015 published in the Daily Record on May 20, 2015.

CCID # 550 – Motion by Gray that the Ordinance be passed

Seconded by Jerram

ROLL CALL:

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

ORDINANCE # 40351 – PASSED 7-0

- (a) Communication from Mike Henrich, COPFRS Trustee, re: the Fire Management Contract – [see attached](#).

550 – From Chair on File

33. Ord. to approve the Collective Bargaining Agreement and Memorandum of Agreement between the City of Omaha and the Professional Firefighters Association of Omaha, Local No. 385; AFL-CIO-CLC for a term of December 21, 2014 to December 15, 2018; to provide that any ordinances of the City of Omaha, and any rules and regulations promulgated thereunder, which are in conflict with the provisions of the Collective Bargaining Agreement and Memorandum of Agreement shall not be applicable to those employees in the bargaining unit described in Article 1, Section 1, of said Collective Bargaining Agreement; and to provide the effective date thereof – [see attached](#).

(See Doc. # 551 – April 28 and May 5 Meetings)

Notice of public hearing on May 5, 2015 published in the Daily Record on May 1, 2015. Ordinance passed on May 12, 2015 published in the Daily Record on May 20, 2015.

CCID # 551 – Motion by Gray that the Ordinance be passed

Seconded by Jerram

ROLL CALL:

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

ORDINANCE # 40352 – PASSED 7-0

- (a) Communication in support of the Ordinance to approve the Collective Bargaining Agreement and Memorandum of Agreement between the City of Omaha and the Professional Firefighters Association of Omaha, Local No. 385 – over from 5/5/15 – [see attached](#).
(See Doc. # 551 – May 5 Meeting)

551 – From Chair on File

- 34. Spec. Ord. approving the Omaha Downtown Improvement District Association 2015/2016 Work Plan and Budget, which includes the 2014/2015 Highlights, the 2014/2015 Progress Report, Stakeholder Engagement and Research, and 2015/2016 Work Plan, Budget and Program Summary for the Omaha Downtown Improvement District Association (ODIDA) and levying a special tax and assessment on all lots and pieces of real estate within Business Improvement District No. 6874 in the City of Omaha in the amount of \$414,389.92; such assessment shall cover the costs anticipated by the Business Improvement District for March 2015 to February 2016 and contemplated by Ordinance No. 37504 which was approved by the City Council of the City of Omaha on October 3, 2006 and reauthorized by Ordinance No. 38957 approved on March 8, 2011; and to provide an effective date therein – [see attached](#).

(See Doc. # 552 – April 28 and May 5 Meetings)

Notice of public hearing on May 5, 2015 published in the Daily Record on May 1, 2015. Special Ordinance passed on May 12, 2015 published in the Daily Record on May 20, 2015.

CCID # 552 – Motion by Gray that the Special Ordinance be passed

Seconded by Jerram

ROLL CALL:

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

SPECIAL ORDINANCE # 10186 – PASSED 7-0

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

* * * * *

(The public hearings on Agenda Item Nos. 35 through 42 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

35. Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Auto Brake & Clutch for the purchase of brake parts and service to be utilized by the Fleet Management Division in the amount of \$61,690.40; and, that the Finance Department is authorized to pay this cost from the General Fund 11111, Mechanical Repair Organization 116172, year 2015 expenditures – [see attached](#).

Motion by Gray that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

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

Res. # 585 – ADOPTED 7-0

36. Res. that, the attached Amended Agreement between the City of Omaha and Together, a Nebraska Non-profit Corporation, 812 South 24th Street, Omaha, Nebraska 68108, increases to \$44,320.00 the amount of matching funds the agency must provide for the use of 2014 Emergency Solutions Grant Program funds it receives from the City in order to provide rapid re-housing services to homeless and near-homeless individuals and families, is hereby approved. Funds shall be paid from the City of Omaha FY 2014 Emergency Solutions Grant, Fund No. 12139, Organization No. 129028 – [see attached](#).

Motion by Gray that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

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

Res. # 586 – 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 \$24,500.00 for the rehabilitation and lead reduction work to the property located at 6776 Bedford Avenue, Omaha, NE 68104, owned by Brisco Investments, LLC, a Nebraska limited liability company, 5339 North 60th Street, Omaha, Nebraska 68104, is hereby approved. Funds in the amount of \$24,500.00 shall be paid from the HOME Program Fund, Fund No. 12179, Org. No. 128071 – [see attached](#).

Motion by Gray that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

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

Res. # 587 – ADOPTED 7-0

38. Res. that, as recommended by the Mayor, the bid in the total amount of \$158,405.99 from Burton Plumbing Services, Inc., to furnish all labor and materials to install a waterline for service to the playground and picnic shelter at Youngman Lake, located at the northwest corner of 192nd and West Dodge Road, being the best bid received within bid specifications, attached hereto and made a part hereof, is hereby accepted. The Purchasing Agent is authorized to issue a purchase order in conformance herewith. Funds in the amount of \$66,904.11 shall be paid from the 2010 Parks and Recreation Bond Fund No. 13355 and Organization No. 117317, Parks and Cultures Bond, and the Miscellaneous Contributions Fund No. 12117 and Organization No. 124043, Park Fee Development in the amount of \$91,501.88, for the 2015 fiscal year – [see attached](#).

Motion by Gray that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

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

Res. # 578 – ADOPTED 7-0

39. Res. that, as recommended by the Mayor, the bid in the total amount of \$23,286.00 from Northern Truck Equipment Corporation to purchase two (2) Interchange System Dump Body Boxes for the Park Maintenance Division, being the best bid received within bid specifications, attached hereto and made a part hereof, is hereby accepted. The Purchasing Agent is authorized to issue a purchase order in conformance herewith. Funds in this amount shall be paid from the General Fund No. 11111, and Organization No. 115025, Ground Maintenance Contracts, for the 2015 fiscal year – [see attached](#).

Motion by Gray that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

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

Res. # 579 – ADOPTED 7-0

40. Res. that the cost to the City of Omaha for the year 2015 for cutting of weeds, grass and worthless vegetation, as provided in Sec. 18-28 of the Omaha Municipal Code shall be for areas of various size. The cost to the City of Omaha for the year 2015 for the removal of litter as provided in Sec. 18-29 of the Omaha Municipal Code shall be \$204.00 for the first hour and increase for each subsequent ½ hour if additional time is required for such litter removal. The above charges for cost to the City of Omaha for the cutting of such weeds, grass and worthless vegetation and for removal of litter shall be in addition to penalty provisions against property owners there shall be added thereto the penalties in the amounts of which penalties are as follows: For the 1st violation, a penalty in the sum of \$75; for the 2nd violation a penalty in the sum of \$150; for the 3rd violation and each subsequent violation thereafter, a penalty in the sum of \$300; for the 3rd violation within 24 months of the two prior, a penalty of \$500 – [see attached](#).

Motion by Gray that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

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

Res. # 596 – ADOPTED 7-0

41. Res. that, as recommended by the Mayor, the agreement between the City of Omaha and the Omaha Municipal Land Bank in the amount of one hundred and fifty thousand dollars (\$150,000) to facilitate the return of vacant, abandoned, tax-delinquent property to productive use from January 1, 2015 to December 31, 2015, and funding of such project, is hereby approved; and that, the Finance Director is authorized to provide payment in the amount of one hundred and fifty thousand dollars (\$150,000) from 2015 Community Services, General Fund 11111, Organization 126063, Account 46111; and in accordance with the contract terms – [see attached](#).

Motion by Gray that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

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

Res. # 595 – ADOPTED 7-0

42. Res. that the reappointment by Mayor Jean Stothert of Robert C. Peters as the Professional Planner to the Urban Design Review Board, to serve a three-year term commencing on May 8, 2015, and expiring on May 7, 2018, be and hereby is confirmed and approved – [see attached](#).

Motion by Gray that the Resolution be adopted
Seconded by Festersen
ROLL CALL:
Yeas: Gray, Jerram, Melton, Pahls, Thompson, Gernandt, Mr. President
Res. # 592 – ADOPTED 7-0

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

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RESOLUTIONS

- 43. Res. that the attached Agreement between the City of Omaha and the National Safety Council, Nebraska, to provide for a program of public education regarding fireworks safety, be and the same hereby is approved; and the Finance Department is authorized to pay to the Safety Council up to \$50,000.00 for such services, from Organization 126058, General Fund 11111, for the 2015 fiscal year – over from 4/14/15 and continue the public hearing – [see attached](#).
((PUBLIC HEARING CONTINUED TO TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 457 – April 14 Meeting)

Andrew Brott, Finance Department, appeared and spoke.

Res. # 457 – Resolution read

- (a) Amendment of the Whole requested by the Law Department – [see attached](#).

457 – Motion by Jerram that the Amendment of the Whole be ADOPTED AS AMENDED

Seconded by Gray

ROLL CALL:

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

Res. # 457 – ADOPTED AS AMENDED 7-0

**“PURSUANT TO CITY COUNCIL RULE VII F
AGENDA ITEM NOS. 44 THROUGH 46
SHALL BE LAID OVER THREE WEEKS
FOR PUBLICATION AND PUBLIC HEARING”**

44. Res. that, the attached 1702 Cuming Tax Increment Financing (TIF) Redevelopment Project Plan for a site located at 1702, 1708 and 1714 Cuming Street which contemplates the rehabilitation of the 1702 Cuming Street building to accommodate two restaurant tenants and the demolition of the adjoining buildings to the west to provide surface parking, recommending the City’s participation through the allocation of TIF in an amount up to \$217,568.00 to offset TIF eligible expenses for acquisition, rehabilitation, site work, architectural and engineering fees, environmental costs, and any 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 – [see attached](#).
Notice of public hearing on June 2, 2015 published in the Daily Record and the Omaha World Herald on May 14, 2015 and May 21, 2015.

CCID # 580 – Over three weeks to June 2, 2015 for publication and public hearing pursuant to City Council Rule VII F.

45. Res. that, the attached H2.0 Tax Increment Financing (TIF) Redevelopment Project Plan located at 2100 Douglas Street proposes the construction of a new four-story, 114 unit market-rate multi-family structure with apartment amenities, recommending the City’s participation through the allocation of TIF in an amount up to \$2,650,000.00 to offset TIF eligible expenses for acquisition, site work, architectural and engineering fees, surveying and public improvements, as required, 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 June 2, 2015 published in the Daily Record and the Omaha World Herald on May 14, 2015 and May 21, 2015.

CCID # 581 – Over three weeks to June 2, 2015 for publication and public hearing pursuant to City Council Rule VII F.

46. Res. that, the attached The Ones at 35th & Dodge Tax Increment Financing (TIF) Redevelopment Project Plan for a site located at 111 N. 35th Street and 3412, 3420 and 3424 Dodge Street which contemplates the demolition of existing single-family structures and the new construction of a four-story apartment structure with a lower level underground 22 stall parking area, recommending the City's participation through the allocation of TIF in an amount up to \$590,750.00 to offset TIF eligible expenses such as site acquisition, demolition, installation of utilities, environmental and survey costs, architectural and engineering fees, and any 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 – [see attached](#). **Notice of public hearing on June 2, 2015 published in the Daily Record and the Omaha World Herald on May 14, 2015 and May 21, 2015.**

CCID # 582 – Over three weeks to June 2, 2015 for publication and public hearing pursuant to City Council Rule VII F.

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ORDINANCES ON SECOND READING

47. Ord. declaring the necessity of acquiring, for use by the City of Omaha, the necessary private property for the purpose of constructing the 180th Street and 192nd Street and Pacific Street Intersection Improvements project identified as OPW 52650, providing that the City negotiate with the property owners for land acquisition, permanent easement, and temporary construction easement, providing that if said parcel cannot be obtained by negotiation, condemnation proceedings be undertaken and completed; and, providing for the effective date hereof – [see attached](#). ((PUBLIC HEARING TODAY))
(See Doc. # 570 – May 5 Meeting)

CCID # 570 – Public hearing was held today – Final reading set for May 19, 2015 as per City Charter requirements.

48. Ord. declaring the necessity of appropriating, for the use of the City of Omaha, certain hereinafter described property located at 18th and Clark Streets, and legally described in the attached purchase agreement, for subsequent use as a site for implementing the Consolidated Submission for Community Planning and Development Programs FY 2015 Action Plan; provided that as to each specified parcel, proceedings in eminent domain may be undertaken and completed for the purpose of clearing title; to provide that notwithstanding any provisions of the Omaha Municipal Code to the contrary, the attached Agreement between the City of Omaha and Guillard Properties, Inc., 13964 Sahler Street, Omaha, NE 68164, to acquire the property for the sum of Twenty-three Thousand Nine Hundred Ten and 00/100 Dollars (\$23,910.00) is approved; project costs will be paid from Community Development Block Grant, Fund 12186, Project No. 4793, Task 10.1497, Award 100276; and to provide the effective date hereof – [see attached](#). ((PUBLIC HEARING TODAY))
(See Doc. # 571 – May 5 Meeting)

CCID # 571 – Public hearing was held today – Final reading set for May 19, 2015 as per City Charter requirements.

49. Ord. approving a bid from McNeil's Cleaning, LLC, for janitorial cleaning service at six Omaha Public Library facilities (W. Dale Clark Library, Milton R. Abrahams Branch, Willa Cather Branch, Bess Johnson Elkhorn Branch, Millard Branch, and W. Clarke Swanson Branch) in accordance with the lowest and best bid submitted meeting specifications, for an initial term of approximately June 1, 2015, to April 30, 2016, and thereafter, extendible for two one-year terms at the sole option of the City, commencing upon approval; to authorize annual payments of approximately \$136,204.52; and to provide an effective date – [see attached](#). ((PUBLIC HEARING TODAY))
(See Doc. # 573 – May 5 Meeting)

THE FOLLOWING PERSONS APPEARED AND SPOKE:

Proponent: Latoya Thomas, McNeil's Cleaning, LLC, 4403 North 62nd Street,
#39

For the City: Regina Dale, Library

CCID # 573 – Public hearing was held today – Final reading set for May 19, 2015 as per City Charter requirements.

**“PURSUANT TO CITY COUNCIL RULE VII H
DUE TO NO MEETING BEING HELD MAY 26, 2015
THE THIRD READING AND PUBLIC HEARING
ON AGENDA ITEM NO. 50
SHALL BE HELD ON JUNE 2, 2015”**

ZONING ORDINANCE ON FIRST READING and Planning Board Attachment

50. Ord. to approve a Major Amendment to a Mixed Use District Development Agreement for West Grayhawk, to allow for the reconfiguration of the required plaza and open space areas within the development, located southwest of 147th Street and West Maple Road between the City of Omaha and Royce Grayhawk, LLC, providing site development standards; and to provide for an effective date – [see attached](#).

CCID # 583 – Publication to be made and public hearing and third reading to be held on June 2, 2015 pursuant to City Council Rule VII H.

(a) Planning Board and Planning Department recommends approval of a Major Amendment to West Grayhawk Mixed Use District Development Agreement to allow for the reconfiguration of the required plaza and open space areas within the development, located southwest of 147th Street and West Maple Road – [see attached](#).

583 – Over to 06/02/15

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**“PURSUANT TO CITY COUNCIL RULE VII C
THE PUBLIC HEARINGS
ON AGENDA ITEM NOS. 51 THROUGH 53
SHALL BE HELD ON THE SECOND READING”**

ORDINANCES ON FIRST READING

51. Ord. declaring the necessity of appropriating, for the use of the City of Omaha, certain hereinafter described property located at 3080 S. 16th Street, and legally described in the attached purchase agreement, for subsequent use as a site for implementing the Consolidated Submission for Community Planning and Development Programs FY 2013 Action Plan; provided that as to each specified parcel, proceedings in eminent domain may be undertaken and completed for the purpose of clearing title; to provide that notwithstanding any provisions of the Omaha Municipal Code to the contrary, the attached Agreement between the City of Omaha and North Ponca Housing Authority, 1501 W. Michigan Avenue, Omaha, NE 68701, to acquire the property for the sum of Nineteen Thousand Five Hundred Forty and NO/100 Dollars (\$19,540.00) is approved; project costs will be paid from Community Development Block Grant, FY 2013 Community Development Block Grant, Fund 12186, Organization 128072, Award 100061, Project 4134, Task 23.1502; and to provide the effective date hereof – [see attached.](#)

CCID # 588 – Publication to be made and public hearing to be held on May 19, 2015 as per City Charter requirements.

52. Ord. declaring the necessity of acquiring, for use of the City of Omaha, the necessary lands located at the northwest corner of Q Street and 135th Street, legally described as Lot 7, Lumberyard District for the Southwest Police Precinct for the Police Department; providing for approval of a Purchase Agreement between the City of Omaha and Lanoha 135 Millard, LLC, a Nebraska limited liability company for the purchase of a build to suit facility with closing on the completed facility to occur by September 1, 2016 in the amount of seven million nine hundred two thousand ninety-seven dollars and ninety cents (\$7,902,097.90); to be paid from the following funds - \$5,200,000 from the 2014 Public Facilities Bond Fund No. 13246, \$1,600,000 from the City Capital Improvement Fund No. 13112, and \$1,130,097.90 from Advance Acquisition Fund No. 13111; and, providing for the effective date hereof – [see attached.](#)

CCID # 589 – Publication to be made and public hearing to be held on May 19, 2015 as per City Charter requirements.

53. Ord. in accordance with Section 5.10 of the Home Rule Charter of the City of Omaha, 1956, as amended, to transfer \$8,585,566 in unencumbered appropriations in the 2015 Budget of the City of Omaha from the Wage Adjustment account to the City departments – [see attached](#).

CCID # 593 – Publication to be made and public hearing to be held on May 19, 2015 as per City Charter requirements.

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CHAIRMAN OF THE BOARD OF EQUALIZATION

54. Chairman of the Board of Equalization reports approval of Plan of Assessment with adjustments made at their regular meeting held May 5, 2015 – [see attached](#).

CCID # 594 – Motion by Gray that the report be approved

Seconded by Melton

ROLL CALL:

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

Motion Carried 7-0

EXECUTIVE SESSION

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

Motion by Gernandt that the meeting be adjourned

Seconded by Gray

ROLL CALL:

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

Motion Carried 7-0

ADJOURNED: 2:36 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 May 12th, 2015.

WITNESS:

CITY CLERK

THE PROCEEDINGS OF THIS MEETING WERE PRESENTED TO ACTING MAYOR PETE FESTERSEN ON THE 14th DAY OF MAY, 2015.