

## 23<sup>rd</sup> REGULAR OMAHA CITY COUNCIL MEETING

JUNE 30, 2015

THE CITY COUNCIL met in Regular Session on Tuesday, June 30, 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 Ben Gray.

### ROLL CALL

1. City Clerk calls the roll.

**CCID # 783** – Present: Jerram, Melton, Pahls, Festersen, Gernandt, Mr. President

Absent Entire Meeting: Thompson

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 June 26, 2015, notice re: Pre-Council and Regular City Council Meetings, June 30, 2015.

**CCID # 784** – 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 approve an amendment to the Future Land Use Element of the Master Plan for the City of Omaha, to incorporate the land use plan adopted within the 10th Street Neighborhood Conservation/Enhancement (NCE) Plan into the future land use map for properties located in an area generally along 10th Street from Pacific Street to Interstate-80 and along Pierce Street from 5th Street to 10th Street; and to provide for the effective date hereof – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))  
(See Doc. # 731 – June 16 and June 23 Meetings)  
**Notice of public hearing on June 30, 2015 published in the Daily Record on June 19, 2015. Ordinance passed on June 30, 2015 published in the Daily Record on July 8, 2015.**

**CCID # 731** – Motion by Jerram that the Ordinance be passed

Seconded by Melton

ROLL CALL:

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

Absent: Thompson

**ORDINANCE # 40376** – PASSED 6-0

- (a) Planning Board and Planning Department recommend approval of an amendment to the Future Land Use Element of the Omaha Master Plan to incorporate the land use plan adopted within the 10<sup>th</sup> Street Neighborhood Conservation/Enhancement (NCE) Plan into the future land use map for properties located in an area generally along 10<sup>th</sup> Street from Pacific Street to Interstate-80 and along Pierce Street from 5<sup>th</sup> Street to 10<sup>th</sup> Street – [see attached](#).  
(See Doc. # 731 – June 16 Meeting)

**# 731** – From Chair on File

6. Ord. to rezone the property located at 3932 North 21st Street from R7-Medium-Density Multiple-Family Residential District to R5-Urban Family Residential District. ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))  
(See Doc. # 732 – June 16 and June 23 Meetings)  
**Notice of public hearing on June 30, 2015 published in the Daily Record on June 19, 2015. Ordinance passed on June 30, 2015 published in the Daily Record on July 8, 2015.**

**CCID # 732** – Motion by Jerram that the Ordinance be passed

Seconded by Gray

ROLL CALL:

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

Absent: Thompson

**ORDINANCE # 40377** – PASSED 6-0

- (a) Planning Board and Planning Department recommend approval of a request to rezone the property located at 3932 North 21st Street from R7 to R5 – [see attached](#).  
(See Doc. # 732 – June 16 Meeting)

**# 732** – From Chair on File

7. Ord. to rezone the properties located at 1409 and 1411 North 58th Street from R4(35)-Single-Family Residential District (High Density) to R5-Urban Family Residential District. ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))  
(See Doc. # 733 – June 16 and June 23 Meetings)  
**Notice of public hearing on June 30, 2015 published in the Daily Record on June 19, 2015. Ordinance passed on June 30, 2015 published in the Daily Record on July 8, 2015.**

**CCID # 733** – Motion by Festersen that the Ordinance be passed  
Seconded by Jerram

ROLL CALL:

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

Absent: Thompson

**ORDINANCE # 40378** – PASSED 6-0

- (a) Planning Board and Planning Department recommend approval of a request to rezone the properties located at 1409 and 1411 North 58<sup>th</sup> Street from R4(35) to R5 – [see attached](#).  
(See Doc. # 733 – June 16 Meeting)

**# 733** – From Chair on File

8. Ord. to rezone property located southeast of 252nd and Blondo Streets from AG-Agricultural District to AG-Agricultural District. ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))  
(See Doc. # 734 – June 16 and June 23 Meetings)  
**Notice of public hearing on June 30, 2015 published in the Daily Record on June 19, 2015. Ordinance passed on June 30, 2015 published in the Daily Record on July 8, 2015.**

**CCID # 734** – Motion by Melton that the Ordinance be passed  
Seconded by Festersen

ROLL CALL:

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

Absent: Thompson

**ORDINANCE # 40379** – PASSED 6-0

9. Ord. to rezone property located southeast of 252nd and Blondo Streets from AG-Agricultural District to DR-Development Reserve District. ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))  
(See Doc. # 735 – June 16 and June 23 Meetings)  
**Notice of public hearing on June 30, 2015 published in the Daily Record on June 19, 2015. Ordinance passed on June 30, 2015 published in the Daily Record on July 8, 2015.**

**CCID # 735** – Motion by Melton that the Ordinance be passed

Seconded by Festersen

ROLL CALL:

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

Absent: Thompson

**ORDINANCE # 40380** – PASSED 6-0

- (a) Planning Board and Planning Department recommend approval of a request to rezone property located southeast of 252<sup>nd</sup> and Blondo Streets from AG-Agricultural District to AG-Agricultural District and DR-Development Reserve District – [see attached](#).  
(See Doc. # 735 – June 16 Meeting)

**# 735** – From Chair on File

10. Res. that the plat entitled WALTON ADDITION, located southeast of 252<sup>nd</sup> and Blondo Streets, is hereby approved and accepted – Outside City – over from 6/16/15 for publication and public hearing – had publication – [see attached](#).  
((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))  
(See Doc. # 736 – June 16 Meeting)

Motion by Melton that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

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

Absent: Thompson

**Res. # 736** – ADOPTED 6-0

- (a) Planning Board and Planning Department recommend approval of the Final Plat of WALTON ADDITION, a minor plat outside the city limits, located southeast of 252<sup>nd</sup> and Blondo Streets – Outside City – over from 6/16/15 – [see attached](#).  
(See Doc. # 736 – June 16 Meeting)

**# 736** – From Chair on File

11. Res. that, the Subdivision Agreement among the City of Omaha, Suzanne C. Rittenhouse, Trustee of the Suzanne C. Rittenhouse Revocable Trust, and Alex Walton, owners of the area to be developed, as recommended by the Mayor, providing for the waiver of the right to protest the creation of a future sidewalk improvement district, is hereby approved. The Subdivision is to be known as Walton Addition (Lots 1-2) and is located southeast of 252<sup>nd</sup> and Blondo Streets – over from 6/16/15 – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))  
(See Doc. # 737 – June 16 Meeting)

Motion by Melton that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

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

Absent: Thompson

**Res. # 737** – ADOPTED 6-0

## **RESOLUTIONS RE: PRELIMINARY PLATS, PLATS AND SUBDIVISION AGREEMENTS**

12. Res. that the preliminary plat entitled SWITZLER'S SUBDIVISION REPLAT 2, located southeast of 26<sup>th</sup> Street and St. Mary's Avenue, along with the attached conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized – Inside City – over from 6/16/15 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))  
(See Doc. # 708 – June 16 Meeting)

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

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

Absent: Thompson

**Res. # 708** – ADOPTED 6-0

- (a) Planning Board and Planning Department recommend approval of the Preliminary Plat of SWITZLER'S SUBDIVISION REPLAT 2, a minor plat inside the city limits (property also located within an existing ACI-1(PL) Overlay District), located southeast of 26<sup>th</sup> Street and St. Mary's Avenue – Inside City – over from 6/16/15 – [see attached](#).  
(See Doc. # 708 – June 16 Meeting)

**# 708** – From Chair on File

13. Res. that the replat transmitted herewith entitled SWITZLER'S SUBDIVISION REPLAT 2, located southeast of 26<sup>th</sup> Street and St. Mary's Avenue, is hereby approved, and concurrently a portion of the existing plat entitled Switzler's Subdivision Replat 1, and described on said replat, is hereby vacated – Inside City – over from 6/16/15 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))  
(See Doc. # 709 – June 16 Meeting)

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

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

Absent: Thompson

**Res. # 709** – ADOPTED 6-0

- (a) Planning Board and Planning Department recommend approval of the Final Plat of SWITZLER'S SUBDIVISION REPLAT 2, a minor plat inside the city limits (property also located within an existing ACI-1(PL) Overlay District), located southeast of 26<sup>th</sup> Street and St. Mary's Avenue – Inside City – over from 6/16/15 – [see attached](#).  
(See Doc. # 709 – June 16 Meeting)

**# 709** – From Chair on File

14. Res. that, the Subdivision Agreement among the City of Omaha, Ulferts Row House Property Management, LLC, and ENLR, LLC, a Nebraska corporation, as recommended by the Mayor, providing for the public improvements, is hereby approved. The Subdivision is to be known as Switzler's Subdivision Replat 2 (Lot 1) and is located southeast of 26<sup>th</sup> Street and St. Mary's Avenue – over from 6/16/15 – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))  
(See Doc. # 746 – June 16 Meeting)

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

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

Absent: Thompson

**Res. # 746** – ADOPTED 6-0

- 15. Res. that the preliminary plat entitled BOYD’S ADDITION REPLAT 4, located Southeast of 30<sup>th</sup> Street and Ames Avenue, along with the attached conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized – Inside City – over from 6/16/15 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))  
(See Doc. # 710 – June 16 Meeting)

Motion by Melton that the Resolution be adopted  
Seconded by Gray  
ROLL CALL:  
Yeas: Jerram, Melton, Pahls, Festersen, Gernandt, Mr. President  
Absent: Thompson  
**Res. # 710 – ADOPTED 6-0**

- (a) Planning Board and Planning Department recommend approval of the Preliminary Plat of BOYD’S ADDITION REPLAT 4, located Southeast of 30<sup>th</sup> Street and Ames Avenue – Inside City – over from 6/16/15 – [see attached](#).  
(See Doc. # 710 – June 16 Meeting)

**# 710 – From Chair on File**

- 16. Res. that the preliminary plat entitled BARTLETTS ADDITION to OMAHA REPLAT 6, located at 3078 Mason Street, with a request for a waiver of Section 53-8(4)(a) of the Omaha Municipal Code for Lot depth, 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 6/16/15 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))  
(See Doc. # 711 – June 16 Meeting)

Motion by Jerram that the Resolution be adopted  
Seconded by Festersen  
ROLL CALL:  
Yeas: Jerram, Melton, Pahls, Festersen, Gernandt, Mr. President  
Absent: Thompson  
**Res. # 711 – ADOPTED 6-0**

- (a) Planning Board and Planning Department recommend approval of the Preliminary Plat of BARTLETTS ADDITION to OMAHA REPLAT 6, with a waiver of Section 53-8(4)(a) of the Omaha Municipal Code for Lot depth, located at 3078 Mason Street – over from 6/16/15 – [see attached](#).  
(See Doc. # 711 – June 16 Meeting)

**# 711 – From Chair on File**

17. Res. that the revised preliminary plat entitled OMAHA WORKS INDUSTRIAL PARK REPLAT 11, located Northeast of 132<sup>nd</sup> and "I" 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 6/16/15 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))  
(See Doc. # 714 – June 16 Meeting)

Motion by Melton that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

Absent: Thompson

**Res. # 714 – ADOPTED 6-0**

- (a) Planning Board and Planning Department recommend approval of the Revised Preliminary Plat of OMAHA WORKS INDUSTRIAL PARK REPLAT 11, located Northeast of 132<sup>nd</sup> and "I" Streets – Inside City – over from 6/16/15 – [see attached](#).  
(See Doc. # 714 – June 16 Meeting)

**# 714 – From Chair on File**

18. Res. that the replat transmitted herewith entitled PRIME BUSINESS PARK REPLAT ONE, located southwest of Old Highway 64 and West Maple Road, is hereby approved, and concurrently a portion of the existing plat entitled Prime Business Park, and described on said replat, is hereby vacated – Inside City – over from 6/16/15 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))  
(See Doc. # 712 – June 16 Meeting)

Douglas Dreessen, representing the applicant, 10836 Old Mill Road, appeared and spoke.

Motion by Melton that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

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

Absent: Thompson

**Res. # 712 – ADOPTED 6-0**



- (a) Planning Board and Planning Department recommend approval of the Final Plat of PRIME BUSINESS PARK REPLAT ONE, a subdivision inside the city limits, located southwest of Old Highway 64 and West Maple Road – Inside City – over from 6/16/15 – [see attached](#).  
(See Doc. # 712 – June 16 Meeting)

**# 712 – From Chair on File**

19. Res. that, the Subdivision Agreement between the City of Omaha and J Dubbya Land, LLC, a Nebraska limited liability company, as recommended by the Mayor, providing for the public improvements, is hereby approved. The Subdivision is to be known as Prime Business Park Replat One (Lots 1-3) and is located southwest of Old Highway 64 and West Maple Road – over from 6/16/15 – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))  
(See Doc. # 713 – June 16 Meeting)

Douglas Dreessen, representing the applicant, 10836 Old Mill Road, appeared and spoke.

Motion by Melton that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

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

Absent: Thompson

**Res. # 713 – ADOPTED 6-0**

**“PURSUANT TO CITY COUNCIL RULE VII H  
DUE TO NO MEETING BEING HELD JULY 7, 2015  
AGENDA ITEM NO. 20  
SHALL BE LAID OVER THREE WEEKS TO JULY 21, 2015  
FOR PUBLICATION AND PUBLIC HEARING”**

20. Res. that the replat transmitted herewith entitled LUMBERYARD DISTRICT, with a request for a waiver of Section 53-8(5)(c/d) and Section 53-9 of the Omaha Municipal Code for Utility easements and Sidewalks, for property generally bounded by Millard Avenue on the north, “Q” Street on the south, 134<sup>th</sup> Street on the east and 136<sup>th</sup> Street on the west, is hereby approved, and concurrently a portion of the existing plats entitled Original Town of Millard, Millard Lumber Addition and Schomer’s Addition to East Millard, and described on said replat, is hereby vacated – Inside City – [see attached](#).  
**Notice of public hearing on July 21, 2015 published in the Daily Record on July 3, 2015.**

**CCID # 811 – Over three weeks to July 21, 2015 for publication and public hearing pursuant to City Council Rule VII H.**

- (a) Planning Board and Planning Department recommend approval of the Final Plat of LUMBERYARD DISTRICT, with a waiver of Section 53-8(5)(c/d) and Section 53-9 of the Omaha Municipal Code for Utility easements and Sidewalks, for property generally bounded by Millard Avenue on the north, "Q" Street on the south, 134th Street on the east and 136th Street on the west – Inside City – [see attached](#).

# 811 – Over to 07/21/15

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**SPECIAL USE PERMIT – DAY CARE SERVICES (GENERAL)**

- 21. Res. that the application submitted by Seth Silverstein for a Major Amendment to a Special Use Permit to allow Day care services (general) in a R5(35)-Urban Family Residential District, located at 4102 and 4110 South 13<sup>th</sup> 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 6/16/15 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))  
(See Doc. # 718 – June 16 Meeting)

Mike Weinberg, representing Seth Silverstein, LLC, appeared and spoke.

Motion by Melton that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

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

Absent: Thompson

**Res. # 718 – ADOPTED 6-0**

- (a) Planning Board and Planning Department recommend approval of the request of Seth Silverstein for a Major Amendment to a Special Use Permit to allow Day care services (general) in a R5(35) District, located at 4102 and 4110 South 13<sup>th</sup> Street – over from 6/16/15 – [see attached](#).  
(See Doc. # 718 – June 16 Meeting)

# 718 – From Chair on File

## **SPECIAL USE PERMIT – CONVENIENCE STORAGE**

22. Res. that the Special Use Permit application submitted by Ardon Investments, LLC, for a Special Use Permit to allow Convenience Storage in a CC-Community Commercial District located at 22101 West Maple 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 6/16/15 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))  
(See Doc. # 719 – June 16 Meeting)

Douglas Dreessen, representing the applicant, 10836 Old Mill Road, appeared and spoke.

Motion by Melton that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

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

Absent: Thompson

**Res. # 719**– ADOPTED 6-0

- (a) Planning Board and Planning Department recommend approval of a Special Use Permit to allow Convenience Storage in a CC-Community Commercial District located at 22101 West Maple Road – over from 6/16/15 – [see attached](#).  
(See Doc. # 719 – June 16 Meeting)

**# 719** – From Chair on File

**“PURSUANT TO CITY COUNCIL RULE VII E  
AGENDA ITEM NO. 23  
SHALL BE LAID OVER TWO WEEKS  
FOR PUBLICATION AND PUBLIC HEARING”**

**SPECIAL USE PERMIT – CUSTOM MANUFACTURING**

23. Res. that the Special Use Permit application submitted by Nebraska Electrical Services, for a Special Use Permit to allow Custom Manufacturing in a CC-Community Commercial District located at 22101 West Maple 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 – [see attached](#).  
**Notice of public hearing on July 14, 2015 published in the Daily Record on July 3, 2015.**

**CCID # 792** – Over two weeks weeks to July 14, 2015 for publication and public hearing pursuant to City Council Rule VII E.

- (a) Planning Board and Planning Department recommend approval of a Special Use Permit to allow Custom Manufacturing in a CC-Community Commercial District located at 22101 West Maple Road – [see attached](#).

**# 792** – Over to 07/14/15

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**LIQUOR**

24. CLASS “C” – CJD, Inc., dba “Jericos”, 11732 West Dodge Road. New application, Old location. Present licensee is LBC, Inc., dba “Jerico’s Restaurant”, 11732 West Dodge Road, who has a Class “C” Liquor License – [see attached](#). ((YOU HAVE YOUR HEARING ON THE APPLICATION BUT YOUR MOTION SHOULD BE TO ADOPT A RESOLUTION EITHER TO GRANT OR DENY))

Jeff Silver, Attorney for the applicant, 10805 Old Mill Road, appeared and spoke.

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

ROLL CALL:

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

Absent: Thompson

**Res. # 785** – ADOPTED 6-0

25. CLASS “C” – Cost Plus, Inc., dba “Cost Plus World Market”, 12200 “K” Plaza. New application, New location. Property posted: 06-17-15; Notification sent: 06-19-15 – [see attached](#). ((YOU HAVE YOUR HEARING ON THE APPLICATION BUT YOUR MOTION SHOULD BE TO ADOPT A RESOLUTION EITHER TO GRANT OR DENY))

Chuck Morrill, Store Manager, Cost Plus World Market, appeared and spoke.

Motion by Melton that the Resolution to GRANT be adopted

Seconded by Gray

ROLL CALL:

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

Absent: Thompson

**Res. # 786** – ADOPTED 6-0

26. CLASS “I” – Amato’s Foods, Inc., dba “Amato’s Café & Catering”, 6405 Center Street. New application, New location. Property posted: 06-17-15; Notification sent: 06-19-15 – [see attached](#). ((YOU HAVE YOUR HEARING ON THE APPLICATION BUT YOUR MOTION SHOULD BE TO ADOPT A RESOLUTION EITHER TO GRANT OR DENY))

Ann Amato, Owner, Amato’s Café and Catering, appeared and spoke.

Motion by Jerram that the Resolution to GRANT be adopted

Seconded by Festersen

ROLL CALL:

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

Absent: Thompson

**Res. # 787** – ADOPTED 6-0

27. PACKAGE – ABAY, L.L.C., dba “Blondo Convenient Food Mart”, 6606 Blondo Street. New application, New location. Property posted: 06-17-15; Notification sent: 06-19-15 – [see attached](#). ((YOU HAVE YOUR HEARING ON THE APPLICATION BUT YOUR MOTION SHOULD BE TO ADOPT A RESOLUTION EITHER TO GRANT OR DENY))

THE FOLLOWING PERSONS APPEARED AND SPOKE:

Proponents: Michael Polk, Attorney for the applicant, 2712 South 87<sup>th</sup> Avenue  
Tesfaye Kinde, 120 South 68<sup>th</sup> Street

Protestant: Megan Savoie, neighbor

For the City: Brook Bench, Parks, Recreation and Public Property Director  
Will Acosta-Trejo, Assistant City Attorney

Motion by Gernandt that the City Council Liquor Rules (Rule 7) be suspended

Seconded by Gray

ROLL CALL:

Yeas: Gernandt

Nays: Jerram, Melton, Pahls, Festersen, Mr. President

Absent: Thompson

Motion LOST 1-5

Motion by Jerram that the Resolution to DENY be adopted

Seconded by Melton

ROLL CALL:

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

Absent: Thompson

**Res. # 788** – ADOPTED 6-0

- (a) Communications opposing the application of ABAY, L.L.C., dba, “Blondo Convenient Food Mart”, 6606 Blondo Street, for a Package Liquor License – [see attached](#).

**# 788** – From Chair on File

- 28. JAX, Inc., dba “Perry’s Place”, 9652 Mockingbird Drive, requests permission for a Special Designated License for a Concert on July 18, 2015 from 12:00 noon to 2:00 a.m. with music ending at 1:00 a.m. – [see attached](#). ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))

Jed Perry, Perry’s Place, 1005 North 107<sup>th</sup> Avenue

**CCID # 789** – Application read

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

Seconded by Jerram

ROLL CALL:

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

Absent: Thompson

Motion Carried 6-0

Motion by Melton that the request be APPROVED AS AMENDED

Seconded by Jerram

ROLL CALL:

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

Absent: Thompson

Motion Carried 6-0

29. Septemberfest-Salute to Labor, 6910 Pacific Street, Suite 450, requests permission for a Special Designated License for a beer garden at CenturyLink Omaha, 455 North 10<sup>th</sup> Street, Lot D on September 4, 2015 from 5:00 p.m. to 12:00 midnight and September 5-7, 2015 from 12:00 noon to 12:00 midnight with music ending at 12:00 midnight each night – [see attached](#). ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))

Marie Smith, on behalf of Terry Moore, Chairman, Septemberfest-Salute to Labor, appeared and spoke.

**CCID # 790** – Motion by Jerram that the request be approved

Seconded by Festersen

ROLL CALL:

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

Absent: Thompson

Motion Carried 6-0

30. YFC, Inc., dba “Maha Music Festival”, P. O. Box 24173, requests permission for a Special Designated License for a Music Festival at Stinson Park, 6707 Center Street on August 15, 2015 from 11:00 a.m. to 12:00 midnight with music ending at 12:00 midnight – [see attached](#). ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))

THE FOLLOWING PERSONS APPEARED AND SPOKE:

Proponents: Pat Lazure, 321 South 57<sup>th</sup> Street

Aaron Shaddy, 11912 Timberridge Drive, Papillion, NE

**CCID # 791** – Motion by Jerram that the request be approved

Seconded by Festersen

ROLL CALL:

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

Absent: Thompson

Motion Carried 6-0

31. AMELOW, Inc., dba “Flashbacks”, 3015 South 83<sup>rd</sup> Plaza, requests permission for a Special Designated License for a Dome Party with a DJ and beer garden on July 18, 2015, from 8:00 p.m. to 1:30 a.m. with music ending at 1:30 a.m. – [see attached](#). ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))

**CCID # 814** – Motion by Gernandt to allow the applicant to withdraw

Seconded by Melton

ROLL CALL:

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

Absent: Thompson

Motion Carried 6-0

- (a) Communication from Eric Orbin, President of AMELOW, Inc., dba “Flashbacks”, 3015 South 83<sup>rd</sup> Plaza, requesting to withdraw their application for a Special Designated License – [see attached](#).

# 814 – 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. 32 through 36 were held on June 23, 2015.)

### **CONSENT AGENDA – ORDINANCES**

32. Ord. declaring the necessity of acquiring, for use by the City of Omaha, the necessary private property for the purpose of constructing the 204<sup>th</sup> & Cumberland Drive Intersection Improvement Project, identified as City Project No. OPW 52588, providing that the City negotiate with the property owners for partial land acquisitions and temporary construction easements; 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](#).

(See Doc. # 738 – June 16 and June 23 Meetings)

**Notice of public hearing on June 23, 2015 published in the Daily Record on June 19, 2015. Ordinance passed on June 30, 2015 published in the Daily Record on July 8, 2015.**

**CCID # 738** – Motion by Melton that the Ordinance be passed

Seconded by Jerram

ROLL CALL:

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

Absent: Thompson

**ORDINANCE # 40381 – PASSED 6-0**



33. Ord. approving an Agreement between the City of Omaha and George Butler Associates, Inc., involving the payment of money from appropriations of more than one year in accordance with Section 5.17 of the Home Rule Charter of 1956, as amended; to provide sewer system evaluation surveys (SSES) to be identified as OPW 52768, being Combined Sanitary Sewer System Evaluation in the Little Papillion Creek Sewersheds, in an amount not to exceed \$3,694,910.00; to authorize the Finance Department to pay this cost from the Sewer Revenue Improvements Fund 21124, CSO Control Implementation Organization 116918 in the amount of \$1,306,610.00, Sewer Separation Organization 116912 in the amount of \$138,300.00, and Neighborhood Sewer Renovation Organization 116911 in the amount of \$2,250,000.00. Sewer Revenue Bonds will be issued to finance this project; and to provide an effective date hereof – [see attached](#).

(See Doc. # 739 – June 16 and June 23 Meetings)

**Notice of public hearing on June 23, 2015 published in the Daily Record on June 19, 2015. Ordinance passed on June 30, 2015 published in the Daily Record on July 8, 2015.**

**CCID # 739** – Motion by Melton that the Ordinance be passed

Seconded by Jerram

ROLL CALL:

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

Absent: Thompson

**ORDINANCE # 40382** – PASSED 6-0

34. Ord. approving an Agreement between the City of Omaha and TREKK Design Group, Inc., involving the payment of money from appropriations of more than one year in accordance with Section 5.17 of the Home Rule Charter of 1956, as amended; to provide sewer system evaluation surveys (SSES) to be identified as OPW 52769, being Combined Sanitary Sewer System Evaluation in the Missouri River Sewersheds, in an amount not to exceed \$3,139,734.00; to authorize the Finance Department to pay this cost from the Sewer Revenue Improvements Fund 21124, Sewer Separation Organization 116912 in the amount of \$415,665.00 and CSO Control Implementation Organization 116918 in the amount of \$2,724,069.00. Sewer Revenue Bonds will be issued to finance this project; and to provide an effective date hereof – [see attached](#).

(See Doc. # 740 – June 16 and June 23 Meetings)

**Notice of public hearing on June 23, 2015 published in the Daily Record on June 19, 2015. Ordinance passed on June 30, 2015 published in the Daily Record on July 8, 2015.**

**CCID # 740** – Motion by Melton that the Ordinance be passed

Seconded by Jerram

ROLL CALL:

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

Absent: Thompson

**ORDINANCE # 40383** – PASSED 6-0

35. Ord. to establish pursuant to Section 40-251 of the Omaha Municipal Code a new Class "B" Flammable Liquids Storage District to be known as District No. B-188 at 1001 South 10th Street, as requested by Ariel Roblin of KETV, Hearst Properties, Inc.; and to provide the effective date hereof – [see attached](#).  
(See Doc. # 741 – June 16 and June 23 Meetings)  
**Notice of public hearing on June 23, 2015 published in the Daily Record on June 19, 2015. Ordinance passed on June 30, 2015 published in the Daily Record on July 8, 2015.**

**CCID # 741** – Motion by Melton that the Ordinance be passed

Seconded by Jerram

ROLL CALL:

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

Absent: Thompson

**ORDINANCE # 40384** – PASSED 6-0

36. Ord. to accept the bid from Alamar Uniforms with its principal place of business at 3105 Leavenworth Street, Omaha, Nebraska, involving the payment of money from appropriations of more than one year in accordance with Section 5.17 of the Home Rule Charter of the City of Omaha, 1956, as amended; to provide firm price commitments per item for two years, on Omaha Police Department standard uniform items, which are to be provided to members of the Omaha Police Department, although prices have been specifically determined by the bid, the exact costs are indeterminate and will vary depending on the purchases, they are anticipated to be in the approximate area of, with the possibility of exceeding, the sum of \$521,280.60, over the two year period; and to provide the effective date hereof – [see attached](#).

(See Doc. # 742 – June 16 and June 23 Meetings)

**Notice of public hearing on June 23, 2015 published in the Daily Record on June 19, 2015. Ordinance passed on June 30, 2015 published in the Daily Record on July 8, 2015.**

**CCID # 742** – Motion by Melton that the Ordinance be passed

Seconded by Jerram

ROLL CALL:

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

Absent: Thompson

**ORDINANCE # 40385** – PASSED 6-0

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

\* \* \* \* \*

(The public hearings on Agenda Item Nos. 37 through 48 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**

37. Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Nebraska Machinery for the purchase of a motor grader to be utilized by the Street Maintenance Division in the amount of \$221,425.00; and, that the Finance Department is authorized to pay this cost from the Street and Highway Allocation Fund 12131, Pavement Maintenance Organization 116158, year 2015 expenditures – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

Absent: Thompson

**Res. # 802** – ADOPTED 6-0

38. Res. that, as recommended by the Mayor, Change Order No. 1 for Swain Construction Co. for additional emergency concrete pavement repair scopes added to OPW 52745, to be performed along 27<sup>th</sup> Street near Q Street, is hereby approved; and that, the Finance Department is authorized to pay an additional sum of \$166,441.65, for the changes to the contract, from the Capital Special Assessment Fund 13573, Special Assessment Organization 116168, year 2015 expenditure – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

Absent: Thompson

**Res. # 813** – ADOPTED 6-0

39. Res. that, as recommended by the Mayor, the Professional Services Agreement with Midwest Right of Way Services Inc to provide services relating to relocation services necessary for the Minne Lusa Stormwater Conveyance Sewer (CSO) and Storz Detention Basin Improvement Project, also known as City Project No. OPW 52004 & OPW 52454, is hereby approved; and, that the Finance Department is authorized to pay a total maximum fee not to exceed \$61,500.00 from Fund 21124-Sewer Revenue Improvements, Organization 116918 CSO Control Implementation – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

Absent: Thompson

**Res. # 793** – ADOPTED 6-0

40. Res. that, as recommended by the Mayor, the Professional Services Agreement with JEO Architecture, Inc. to provide professional architectural and engineering design services for the creation of a master site plan for the existing Fleet Management Facilities site, located at 2606 N. 26<sup>th</sup> Street, is hereby approved; and that the Finance Department is authorized to pay a fee not to exceed \$50,000.00, which will be paid from the 2014 Public Facilities Fund 13246, Public Facilities Bond Organization 117515 – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

Absent: Thompson

**Res. # 794** – ADOPTED 6-0

41. Res. that, as recommended by the Mayor, the Professional Services Agreement with Jackson-Jackson and Associates, Inc. to provide professional architectural and engineering design services for the renovation of Omaha Fire Station #52, located at 10722 Pacific Street, is hereby approved; and that the Finance Department is authorized to pay a fee not to exceed \$34,900.00, which will be paid from the 2010 Public Facilities Bond 13245, Fire Capital Organization 114512 – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

Absent: Thompson

**Res. # 795** – ADOPTED 6-0

42. Res. that, the attached Grant Agreement, as recommended by the Mayor, to provide funding in the amount of \$45,000.00 for the rehabilitation and lead reduction work, when applicable, to the property owned by Janyce McNeil located at 3370 Patrick Avenue, Omaha, NE 68111, is hereby approved. The contract is to be awarded to Rife Construction, Inc. Funds shall be paid as follows: \$15,500.00 from NAHTF 12-TFHP-7058 Housing Rehabilitation (Prospect Village), Fund No. 12141, Org. No. 128101; \$29,500.00 from CDBG Target Area Program 2015, Fund No. 12186, Org. No. 128072 – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

Absent: Thompson

**Res. # 805** – ADOPTED 6-0

43. Res. that, the attached Grant Agreement, as recommended by the Mayor, to provide funding in the amount of \$41,915.00 for the rehabilitation and lead reduction work, when applicable, to the property owned by Glenda Flowers located at 2436 N 33 ST, Omaha, NE 68111, is hereby approved. The contract is to be awarded to Lamb's Remodeling, Tom Lamb, Owner. Funds shall be paid as follows: \$26,415.00 from CDBG Target Area Program 2015, Fund No. 12186, Org. No. 128072; \$15,500.00 from NAHTF 13-TFHO-2077 Owner Occupied Rehabilitation (Prospect Village), Fund No. 12141, Org. No. 128101 – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

Absent: Thompson

**Res. # 804** – ADOPTED 6-0

44. Res. that, the City of Omaha hereby intends to make application to the Nebraska Department of Economic Development to have the 13.2 square mile area generally consisting of U. S. Census Tracts 4, 5, 6, 7, 8, 11, 12, 16, 19, 29, 31, 32, 33, 39, 40, 51, 52, 53, 54, 59.01, 59.02, 60 and 61.02, and as illustrated on the attached map, formally designated as a Nebraska Enterprise Zone – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

Absent: Thompson

**Res. # 815** – ADOPTED 6-0

45. Res. that it is in the best interest of the City of Omaha to enter into an Interlocal Agreement with the City of Bennington to allow for the establishment and operation of keno satellite locations within the City of Bennington under the City of Omaha's EHPV Lottery Operator's Agreement; and that the Mayor and City Clerk are hereby authorized to execute the attached Interlocal Agreement with the City of Bennington, and any other document required to facilitate the establishment and operation of EHPV keno satellite locations within the City of Bennington – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

Absent: Thompson

**Res. # 806** – ADOPTED 6-0

46. Res. that, as recommended by the Mayor, the purchase from PowerDMS, a sole source vendor provided in Chapter 5.16 of the Home Rule Charter in the amount of twenty five thousand two-hundred and forty six dollars (\$25,246.00) for the installation and purchase of 660 subscriptions to the PowerDMS document management software to be used by the Omaha Fire Department, to provide document management services and maintain accountability procedures, is hereby approved; and, the Finance Department is authorized to pay the cost of such purchase from the Fire Department's 2015 budget, Fund 11111, Organization 114515, Account 43317 – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

Absent: Thompson

**Res. # 816** – ADOPTED 6-0

47. Res. that the reappointment by Mayor Stothert of Brian Feyerherm, to serve a three-year term, as a general public member of the Plumbing Board, said term to commence on July 3, 2015, and expire on July 2, 2018, be and hereby is confirmed – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

Absent: Thompson

**Res. # 807** – ADOPTED 6-0

48. Res. that the reappointment by Mayor Jean Stothert of Christopher Reed as the Mechanical Engineer representative of the Plumbing Board, to serve a three-year term commencing upon confirmation by the City Council and expiring three years thereafter, be and hereby is confirmed and approved – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

Absent: Thompson

**Res. # 796** – ADOPTED 6-0

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

\* \* \* \* \*

## **RESOLUTIONS**

49. Res. that, the attached Elk Hills Apts Phase II Tax Increment Financing (TIF) Redevelopment Project Plan for a site generally located at the southwest corner of Park Road and North Main Street in Elkhorn, which is a continuation of the first phase of apartment units completed in 2014, and proposes the demolition of the existing residential and industrial structures along with the new construction of three multi-family structures, for a total of 90 units, inclusive of parking, recommending the City's participation through the allocation of TIF in an amount up to \$1,500,000.00 to offset eligible expenses such as acquisition, demolition, site work, architectural and engineering fees, and all public improvements, containing a provision for the division of ad valorem taxes under Section 18-2147 through 18-2150, Revised Statutes of Nebraska, as recommended by the City Planning Department, be and hereby is approved – over from 6/9/15 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))  
(See Doc. # 693 – June 9 Meeting)

Bridget Hadley, Planning Department, appeared and spoke.

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

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

Absent: Thompson

**Res. # 693** – ADOPTED 6-0

**“PURSUANT TO CITY COUNCIL RULE VII F**

**AGENDA ITEM NO. 50  
SHALL BE LAID OVER THREE WEEKS  
FOR PUBLICATION AND PUBLIC HEARING”**

50. Res. that, the attached Turner Park Residences & 31 Dodge Tax Increment Financing (TIF) Redevelopment Project Plan for a site located at 3102-3106 Dodge Street and 118 North 31st Street proposes the renovation and rehabilitation of the Turner Park Residences & 31 Dodge properties, resulting in 66 affordable housing units, recommends the City’s participation through the allocation of TIF in an amount up to \$494,671.00 to offset TIF eligible expenses such as rehabilitation, site work, architectural and engineering fees, 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 July 21, 2015 published in the Daily Record and the Omaha World Herald on July 2, 2015 and July 9, 2015.**

**CCID # 803** – Over three weeks to July 21, 2015 for publication and public hearing pursuant to City Council Rule VII F.

\* \* \* \* \*

**“PURSUANT TO CITY COUNCIL RULE VII H  
DUE TO NO MEETING BEING HELD JULY 7, 2015  
THE THIRD READINGS ON AGENDA ITEM NOS. 51 THROUGH 52  
SHALL BE HELD ON JULY 14, 2015”  
((THE PUBLIC HEARINGS ON THESE ITEMS ARE TODAY))**

**ORDINANCES ON SECOND READING**

51. Ord. declaring the necessity of acquiring, for use by the City of Omaha, the necessary private property for the purpose of constructing the 74th and Nina Lift Station Project, identified as City Project No. OPW 52182, providing that the City negotiate with the property owners for land acquisition, permanent easements and temporary construction easements, 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. # 779 – June 23 Meeting)

**CCID # 779** – Public hearing was held today – Final reading set for July 14, 2015 pursuant to City Council Rule VII H.



52. Ord. approving a redevelopment and tax increment financing loan agreement between the City of Omaha and DSL Hospitality, LLC, a Nebraska limited liability company, to implement the Midtown Hotel at Saddle Creek & Dodge Tax Increment Financing (TIF) Redevelopment Project Plan for a site located at the southeast corner of Saddle Creek Road and Dodge Street, which provides for the demolition and clearing of the existing structures in preparation for the construction of a 3-5-story hotel with 102 guest rooms and an internal parking structure containing 105 parking spaces; the agreement authorizes the use of up to \$2,582,923.00 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](#). ((PUBLIC HEARING TODAY))  
(See Doc. # 780 – June 23 Meeting)

Bridget Hadley, Planning Department, appeared and spoke.

**CCID # 780** – Public hearing was held today – Final reading set for July 14, 2015 pursuant to City Council Rule VII H.

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**“PURSUANT TO CITY COUNCIL RULE VII H  
DUE TO NO MEETING BEING HELD JULY 7, 2015  
THE THIRD READING AND PUBLIC HEARINGS  
ON AGENDA ITEM NOS. 53 THROUGH 55  
SHALL BE HELD ON JULY 21, 2015”**

**ZONING ORDINANCES ON FIRST READING and Planning Board Attachments**

53. Ord. to rezone property generally bounded by Millard Avenue on the north, “Q” Street on the south, 134th Street on the east and 136th Street on the west from CC-Community Commercial District, GI-General Industrial District and RR-Railroad District to CC-Community Commercial District.

**CCID # 808** – Publication to be made and public hearing and third reading to be held on July 21, 2015 pursuant to City Council Rule VII H.

54. Ord. to rezone property generally bounded by Millard Avenue on the north, “Q” Street on the south, 134th Street on the east and 136th Street on the west from CC-Community Commercial District, GI-General Industrial District and RR-Railroad District to NBD-Neighborhood Business District.

**CCID # 809** – Publication to be made and public hearing and third reading to be held on July 21, 2015 pursuant to City Council Rule VII H.

- (a) Planning Board and Planning Department recommend approval of a request to rezone property generally bounded by Millard Avenue on the north, “Q” Street on the south, 134th Street on the east and 136th Street on the west from CC, GI and RR to CC and NBD – [see attached](#).

# 809 – Over to 07/21/15

- 55. Ord. to approve a PUR-Planned Unit Redevelopment Overlay District in a CC-Community Commercial District and NBD-Neighborhood Business District, for an area generally bounded by Millard Avenue on the north, “Q” Street on the south, 134th Street on the east and 136th Street on the west, to approve the Development Plan, and to provide for an effective date – [see attached](#).

**CCID # 810** – Publication to be made and public hearing and third reading to be held on July 21, 2015 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 CC and NBD District, for an area generally bounded by Millard Avenue on the north, “Q” Street on the south, 134<sup>th</sup> Street on the east and 136<sup>th</sup> Street on the west – [see attached](#).

# 810 – Over to 07/21/15

\* \* \* \* \*

**“PURSUANT TO CITY COUNCIL RULE VII H  
DUE TO NO MEETING BEHING HELD JULY 7, 2015  
THE SECOND READING AND PUBLIC HEARINGS  
ON AGENDA ITEM NOS. 56 THROUGH 61  
SHALL BE HELD ON JULY 14, 2015”**

**ORDINANCES ON FIRST READING**

- 56. Ord. to amend Ordinance No. 40182, passed November 18, 2014, declaring the necessity of appropriating and acquiring certain private property for the purpose of constructing the Minne Lusa Stormwater Conveyance Sewer (CSO) and Storz Detention Basin Improvement Project, identified as Project OPW 52004 & OPW 52454; to allow the City to acquire property rather than permanent easements from properties as shown on the attached Exhibit “A” plat drawings pages 5 & 6; and to provide the effective date thereof – [see attached](#).

**CCID # 797** – Publication to be made and public hearing to be held on July 14, 2015 pursuant to City Council Rule VII H.

57. Ord. vacating a portion of the Bob Gibson Boulevard right-of-way between 10th Street and 13th Street and a portion of the 10th Street right of way north of Bob Gibson Boulevard, in the City of Omaha and providing the effective date hereof – [see attached](#).

**CCID # 801** – Publication to be made and public hearing to be held on July 14, 2015 pursuant to City Council Rule VII H.

58. Ord. approving a redevelopment and tax increment financing loan agreement between the City of Omaha and Invest Omaha I, LLC, a Nebraska limited liability company, to implement The Conrad Tax Increment Financing (TIF) Redevelopment Project Plan located between 36th and 37th Streets, and from Jones Street south to the alley which contemplates the demolition of various residential structures and the new construction of a three-story, 153-unit multi-family structure with an integrated two-level parking garage and includes other apartment amenities; the agreement authorizes the use of up to \$2,246,800.00 in excess ad valorem taxes (TIF) generated by the development to help fund the cost of the project; and providing for an effective date – [see attached](#).

**CCID # 812** – Publication to be made and public hearing to be held on July 14, 2015 pursuant to City Council Rule VII H.

59. Ord. approving a redevelopment and tax increment financing loan agreement between the City of Omaha and Red Brick Development, LLC, a Nebraska limited liability company, to implement the 5018 Underwood Tax Increment Financing (TIF) Redevelopment Project Plan located at 5018 Underwood Avenue which provides for the demolition of the existing structure and the construction of a new three-story, mixed-use structure to include ground floor commercial retail space, a medical office on the second floor, six (6) market rate apartments on the third floor, and 15 parking stalls behind the building; the agreement authorizes the use of up to \$650,000.00 in excess ad valorem taxes (TIF) generated by the development to help fund the cost of the project; and providing for an effective date – [see attached](#).

**CCID # 798** – Publication to be made and public hearing to be held on July 14, 2015 pursuant to City Council Rule VII H.

60. Ord. approving the Fourteenth Supplemental Agreement among the City of Omaha, the County of Douglas and the Omaha-Douglas Public Building Commission to provide for the issuance of up to ten million dollars (\$10,000,000) for the redemption and refunding of the Commission's 2005 Bonds currently outstanding, to determine the division of responsibility for payment of the new bonds and to provide for an effective date – [see attached](#).

**CCID # 799** – Publication to be made and public hearing to be held on July 14, 2015 pursuant to City Council Rule VII H.

61. Ord. to approve a Third Amendment to the Agreement between the Mayor of the City of Omaha, [the Mayor as the designated Chief Elected Official of the Greater Omaha Workforce Investment Area (which includes Douglas, Sarpy and Washington Counties)], and Heartland Workforce Solutions, Inc., a non-profit corporation, said agreement involving appropriations out of more than one year as provided by Section 5.17 of the Home Rule Charter; to comply with changes from the passage of the Workforce Innovation and Opportunity Act of 2014 (WIOA); to further clarify and meet all State and Federal regulations; and to provide for the effective date hereof – [see attached](#).

**CCID # 800** – Publication to be made and public hearing to be held on July 14, 2015 pursuant to City Council Rule VII H.

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### **EXECUTIVE SESSION**

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

### **SUPPLEMENT TO THE CITY COUNCIL AGENDA FOR JUNE 30, 2015**

**LEGISLATIVE CHAMBERS – 2:00 P.M. – PREPARED JUNE 29, 2015 AT 11:00 A.M.**

### **ADDITIONAL RESOLUTION**

63. Res. that the Omaha City Council urges the Administration to work with Deffenbaugh/Waste Management on a plan to improve its solid waste collection performance and meet all contract standards, and, further, to consider all available remedies for continued poor performance, including liquidated damages – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

Motion by Festersen that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

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

Absent: Thompson

**Res. # 817 – ADOPTED 6-0**

Motion by Jerram that the meeting be adjourned

Seconded by Festersen

ROLL CALL:

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

Absent: Thompson

Motion Carried 6-0

**ADJOURNED: 3:07 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 June 30<sup>th</sup>, 2015.

WITNESS:

\_\_\_\_\_

\_\_\_\_\_

CITY CLERK

THE PROCEEDINGS OF THIS MEETING WERE PRESENTED TO MAYOR JEAN STOTHERT ON THE 2<sup>nd</sup> DAY OF JULY, 2015.