

24th REGULAR OMAHA CITY COUNCIL MEETING

JULY 14, 2015

THE CITY COUNCIL met in Regular Session on Tuesday, July 14, 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 # 818 – Present: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President

2. Pledge of Allegiance.
3. Invocation by Councilmember Pete Festersen of District No. 1.

CERTIFICATION OF PUBLICATION - NOTIFICATION OF OPEN MEETING ACT

4. City Clerk certifies publication in Daily Record, the Official Newspaper of the City of Omaha on July 10, 2015, notice re: Pre-Council and Regular City Council Meetings, July 14, 2015.

CCID # 819 – 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.

RESOLUTIONS RE: PRELIMINARY PLATS, PLATS AND SUBDIVISION AGREEMENTS

**“PURSUANT TO CITY COUNCIL RULE VII E
AGENDA ITEM NOS. 5 THROUGH 7
SHALL BE LAID OVER TWO WEEKS
FOR PUBLICATION AND PUBLIC HEARING”**

5. Res. that the preliminary plat entitled THE ONE, located northeast of 35th and Dodge Streets, 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 July 28, 2015 published in the Daily Record on July 17, 2015.

CCID # 852 – Over two weeks to July 28, 2015 for publication and public hearing pursuant to City Council Rule VII E.

- (a) Planning Board and Planning Department recommend approval of the Preliminary Plat of THE ONE, a minor plat inside the city limits, located northeast of 35th and Dodge Streets – Inside City – [see attached](#).

852 – Over to 07/28/15

6. Res. that the plat transmitted herewith entitled THE ONE, a minor plat inside the city limits, located northeast of 35th and Dodge Streets, is hereby approved, and concurrently a portion of the existing plat entitled West End Addition, and described on said replat, is hereby vacated – Inside City – [see attached](#).

Notice of public hearing on July 28, 2015 published in the Daily Record on July 17, 2015.

CCID # 853 – Over two weeks to July 28, 2015 for publication and public hearing pursuant to City Council Rule VII E.

- (a) Planning Board and Planning Department recommend approval of the Final Plat of THE ONE, a minor plat inside the city limits, located northeast of 35th and Dodge Streets – Inside City – [see attached](#).

853 – Over to 07/28/15

7. Res. that the replat transmitted herewith entitled SADDLE CREEK MIDTOWN, located Southeast of Saddle Creek Road and Dodge Street, is hereby approved, and concurrently a portion of the existing plat entitled Briggs Place, and described on said replat, is hereby vacated – Inside City – [see attached](#).
Notice of public hearing on July 28, 2015 published in the Daily Record on July 17, 2015.

CCID # 856 – Over two weeks to July 28, 2015 for publication and public hearing pursuant to City Council Rule VII E.

- (a) Planning Board and Planning Department recommend approval of the Final Plat of SADDLE CREEK MIDTOWN, located Southeast of Saddle Creek Road and Dodge Street – Inside City – [see attached](#).

856 – Over to 07/28/15

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**“PURSUANT TO CITY COUNCIL RULE VII E
AGENDA ITEM NOS. 8 THROUGH 18
SHALL BE LAID OVER TWO WEEKS”**

8. Res. that, the Subdivision Agreement between the City of Omaha and DSL Hospitality, LLC, a Nebraska limited liability company, as recommended by the Mayor, providing for the Watershed Management fees, is hereby approved. The Subdivision is to be known as Saddle Creek Midtown (Lot 1) and is located southeast of Saddle Creek Road and Dodge Street – [see attached](#).

CCID # 857 – Over two weeks to July 28, 2015 pursuant to City Council Rule VII E.

9. Res. that the revised preliminary plat entitled NORTHERN HILLS ESTATES THREE, generally located east of 69th and Plum Streets, attached hereto and made a part hereof as Exhibit “A”, along with the attached conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized – Outside City – [see attached](#).

CCID # 827 – Over two weeks to July 28, 2015 pursuant to City Council Rule VII E.

- (a) Planning Board and Planning Department recommend approval of the Revised Preliminary Plat of NORTHERN HILLS ESTATES THREE, generally located east of 69th and Plum Streets – Outside City – [see attached](#).

827 – Over to 07/28/15

- 10. Res. that the plat entitled NORTHERN HILLS ESTATES THREE, located east of 69th and Plum Streets, is hereby approved and accepted – Outside City – [see attached](#).

CCID # 828 – Over two weeks to July 28, 2015 pursuant to City Council Rule VII E.

- (a) Planning Board and Planning Department recommend approval of the Final Plat of NORTHERN HILLS ESTATES THREE, a subdivision outside the city limits, located east of 69th and Plum Streets – Outside City – [see attached](#).

828 – Over to 07/28/15

- 11. Res. that, the Subdivision Agreement among the City of Omaha, Keith B. Edquist, a private individual, and The Northern Hills Estates Homeowners Association, as recommended by the Mayor, providing for the Parks fees and the public improvements, is hereby approved. The Subdivision is to be known as Northern Hills Estates Three (Lots 1-22 and Outlots A-F) and is located east of 69th and Plum Streets – [see attached](#).

CCID # 829 – Over two weeks to July 28, 2015 pursuant to City Council Rule VII E.

- 12. Res. that the preliminary plat entitled S PAKIESER ACRES, located at 12216 Blair High Road, along with the attached condition, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized – Outside City – [see attached](#).

CCID # 864 – Over two weeks to July 28, 2015 pursuant to City Council Rule VII E.

- (a) Planning Board and Planning Department recommend approval of the Preliminary Plat of S PAKIESER ACRES, but DENIAL of a waiver of Section 53-9(9) of the Omaha Municipal Code regarding Sidewalks, located at 12216 Blair High Road – Outside City – [see attached](#).

864 – Over to 07/28/15

- 13. Res. that the plat entitled S PAKIESER ACRES, located at 12216 Blair High Road, is hereby approved and accepted – Outside City – [see attached](#).

CCID # 865 – Over two weeks to July 28, 2015 pursuant to City Council Rule VII E.

- (a) Planning Board and Planning Department recommend approval of the Final Plat of S PAKIESER ACRES, located at 12216 Blair High Road – Outside City – [see attached](#).

865 – Over to 07/28/15

- 14. Res. that, the Subdivision Agreement between the City of Omaha and Sacon S. Cross Pakieser, as recommended by the Mayor, providing for the Watershed Management fees, Interceptor Sewer fees, and Parks fees, is hereby approved. The Subdivision is to be known as S. Pakieser Acres (Lot 1) and is located at 12216 Blair High Road – [see attached](#).

CCID # 866 – Over two weeks to July 28, 2015 pursuant to City Council Rule VII E.

- 15. Res. that the plat entitled WOOD VALLEY (Lots 352-473), located Northeast of 142nd Street and Wood Valley Drive, is hereby approved and accepted – Outside City – [see attached](#).

CCID # 869 – Over two weeks to July 28, 2015 pursuant to City Council Rule VII E.

- (a) Planning Board and Planning Department recommend approval of the Final Plat of WOOD VALLEY (Lots 352-473), located Northeast of 142nd Street and Wood Valley Drive – Outside City – [see attached](#).

869 – Over to 07/28/15

- 16. Res. that, the Subdivision Agreement among the City of Omaha, CR Investments, Inc., a Nebraska corporation, The Wood Valley Home Owners Association, and Sanitary and Improvement District (S&I.D.) 554 of Douglas County, Nebraska, as recommended by the Mayor, providing for the public improvements, 1% administrative fee, Interceptor Sewer Fee, Watershed Management Fee, Parks fees, and sewer connection to the Omaha Sanitary Sewer System, is hereby approved. The Subdivision is to be known as Wood Valley (Lots 352-473) and is located northeast of 142nd Street and Wood Valley Drive – [see attached](#).

CCID # 870 – Over two weeks to July 28, 2015 pursuant to City Council Rule VII E.

17. Res. that the plat entitled FALLING WATERS COMMERCIAL, located Northwest of 192nd and Harrison Streets, is hereby approved and accepted – Outside City – [see attached](#).

CCID # 877 – Over two weeks to July 28, 2015 pursuant to City Council Rule VII E.

(a) Planning Board and Planning Department recommend approval of the Final Plat of FALLING WATERS COMMERCIAL, a subdivision outside the city limits, located Northwest of 192nd and Harrison Streets – Outside City – [see attached](#).

877 – Over to 07/28/15

18. Res. that, the Subdivision Agreement among the City of Omaha, Royce Falling Waters, LLC, a Nebraska limited liability company, and Falling Waters Commercial Owners Association, a Nebraska not for profit corporation, as recommended by the Mayor, providing for the Watershed Management fees, Interceptor Sewer fees, Parks fees, and sewer connection to the Omaha Sanitary Sewer System, is hereby approved. The Subdivision is to be known as Falling Waters Commercial (Lots 1-11 and Outlots A-H) and is located northwest of 192nd and Harrison Streets – [see attached](#).

CCID # 878 – Over two weeks to July 28, 2015 pursuant to City Council Rule VII E.

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SPECIAL USE PERMIT – CUSTOM MANUFACTURING

19. 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 – over from 6/30/15 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 792 – June 30 Meeting)

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

Motion by Thompson that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

Res. # 792 – ADOPTED 7-0

- (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 – over from 6/30/15 – [see attached](#).
(See Doc. # 792 – June 30 Meeting)

792 – From Chair on File

**“PURSUANT TO CITY COUNCIL RULE VII E
AGENDA ITEM NOS. 20 THROUGH 22
SHALL BE LAID OVER TWO WEEKS
FOR PUBLICATION AND PUBLIC HEARING”**

**SPECIAL USE PERMIT – DEVELOPMENT IN NORTH HILLS ENVIRONMENTAL
OVERLAY DISTRICT**

- 20. Res. that the Special Use Permit application submitted by Keith Edquist for a Special Use Permit to allow development in the North Hills Environmental Overlay District, generally located east of 69th and Plum Streets, 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 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 28, 2015 published in the Daily Record on July 17, 2015.

CCID # 830 – Over two weeks to July 28, 2015 for publication and public hearing pursuant to City Council Rule VII E.

- (a) Planning Board and Planning Department recommend approval of the request of Keith Edquist for a Special Use Permit to allow development in the North Hills Environmental Overlay District for property generally located east of 69th and Plum Streets – [see attached](#).

830 – Over to 07/28/15

SPECIAL USE PERMITS – AUTOMOTIVE SALES

21. Res. that the Special Use Permit application submitted by Atchley Investments, LLC for a Special Use Permit to allow Automotive sales in a CC-Community Commercial District, located at 14404 Stony Brook Boulevard, 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 28, 2015 published in the Daily Record on July 17, 2015.

CCID # 872 – Over two weeks to July 28, 2015 for publication and public hearing pursuant to City Council Rule VII E.

- (a) Planning Board and Planning Department recommend approval of the request of Atchley Investments, LLC for a Special Use Permit to allow Automotive sales in a CC District, located at 14404 Stony Brook Boulevard – [see attached](#).

872 – Over to 07/28/15

22. Res. that the Special Use Permit application submitted by Jeff's Wash N Glo, LTD for a Special Use Permit to allow Automotive sales in a CC-Community Commercial District, (property is also located within an existing MCC Overlay District) located at 2707 South 156th Street, Omaha, Nebraska, is hereby approved and the Permits and Inspection Division is directed to issue the necessary permit therefor, provided the conditions set out in Exhibit "A" of the above referenced application, conditions set out in Exhibit "B", and all applicable local or state statutes, ordinances or regulations are complied with. That the proposed Special Use Permit has been reviewed and evaluated pursuant to, and meets each of, the criteria set forth in Section 55-885 of the Omaha Municipal Code – [see attached](#).
Notice of public hearing on July 28, 2015 published in the Daily Record on July 17, 2015.

CCID # 831 – Over two weeks to July 28, 2015 for publication and public hearing pursuant to City Council Rule VII E.

- (a) Planning Board and Planning Department recommend approval of the request of Jeff's Wash N Glo, LTD for a Special Use Permit to allow Automotive sales in a CC District, (property is located within an existing MCC Overlay District) located at 2707 South 156th Street – [see attached](#).

831 – Over to 07/28/15

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LIQUOR AND RESOLUTIONS RE: KENO

- 23. CATERING – 888 Restaurant, LLC, dba “Eat the Worm”, 1213 Howard Street. New application, Old location. Presently holds a Class “C” Liquor License. Property posted: 05-29-15; Notification sent: 06-12-15 – over from 6/23/15 – [see attached](#). ((PUBLIC HEARING HELD 6/23/15 – YOUR MOTION SHOULD BE TO ADOPT A RESOLUTION EITHER TO GRANT OR DENY))
(See Doc. # 753 – June 23 Meeting)

Lance Wang, 1213 Howard Street, appeared and spoke.

Motion by Jerram that the Resolution to GRANT be adopted

Seconded by Gray

ROLL CALL:

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

Res. # 753 – ADOPTED 7-0

- (a) Communication from William Acosta-Trejo, Assistant City Attorney, re: Conditions for 888 Restaurant, LLC, dba “Eat the Worm”, 1213 Howard Street – [see attached](#).

753 – From Chair on File

- 24. CLASS “C” – Wang, Lance, dba “O Dining”, 1015 Farnam Street. New application, New location. Property posted: 06-26-15; Notification sent: 07-02-15 – [see attached](#). ((YOU HAVE YOUR HEARING ON THE APPLICATION BUT YOUR MOTION SHOULD BE TO ADOPT A RESOLUTION EITHER TO GRANT OR DENY))

Lance Wang, 1213 Howard Street, appeared and spoke.

Motion by Jerram that the Resolution to GRANT be adopted

Seconded by Melton

ROLL CALL:

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

Res. # 820 – ADOPTED 7-0

25. CLASS “I” – Salmarie Enterprises, LLC, dba “Enzo’s Italian”, 8510 North 30th Street. New application, Old location. Present licensee is Huckleberry’s, Inc., dba “Huckleberry’s”, 8510 North 30th Street, who has a Class “C” Liquor License – [see attached](#). ((YOU HAVE YOUR HEARING ON THE APPLICATION BUT YOUR MOTION SHOULD BE TO ADOPT A RESOLUTION EITHER TO GRANT OR DENY))

Angelo Zurlo, Salmarie Enterprises, LLC, dba “Enzo’s Italian”, 8510 North 30th Street, appeared and spoke.

Motion by Festersen that the Resolution to GRANT be adopted

Seconded by Jerram

ROLL CALL:

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

Res. # 821 – ADOPTED 7-0

26. Aruma Lounge, LLC, dba “Aruma Lounge”, 1919 Missouri Avenue, requests permission for a CHANGE OF LOCATION of their present Class “I” Liquor License location to 302 South 11th Street, and to Change the Trade Name to “El Parian Mexican Bar & Grill”. Property posted: 06-26-15; Notification sent: 07-02-15 – [see attached](#). ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))

THE FOLLOWING PERSONS APPEARED AND SPOKE:

Proponents: Mike Kelley, Attorney for the applicant, 7134 Pacific Street

Jose Lieb, 5615 North 51st Street

Claudia Gonzalez

Protestant: Michael Henery, Michaels at the Market, 555 Riverfront Plaza

For the City: William Acosta-Trejo, Assistant City Attorney

Buster Brown, City Clerk

Lt. David Sedlacek, Police Department

CCID # 822 – Motion by Gernandt that the application be laid over two weeks to July 28, 2015

LOST for lack of a second

Motion by Melton that the application be laid over one week to July 21, 2015

Seconded by Gernandt

ROLL CALL:

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

Pass: Jerram

CITY CLERK CALLS THE ROLL AGAIN:

ROLL CALL:

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

Pass: Jerram

Councilmember Jerram passed due to potential conflict of interest

Motion Carried 6-0-1 Pass

- (a) Communication supporting the application of Aruma Lounge, LLC, dba "Aruma Lounge", 1919 Missouri Avenue for a Change of Location to 302 South 11th Street – [see attached](#).

822 – Over to 07/21/15

- (b) Communication from the City Clerk, re: Aruma Lounge, LLC Omaha World Herald Article from June 5, 2015 – [see attached](#).

822 – Over to 07/21/15

- (c) Communication opposing the application of Aruma Lounge, LLC, dba "Aruma Lounge", 1919 Missouri Avenue, for a Change of Location to 302 South 11th Street – [see attached](#).

822 – Over to 07/21/15

- (d) Communication from Michael Henery, Michaels at the Market, opposing the application of Aruma Lounge, LLC, dba "Aruma Lounge", 1919 Missouri Avenue, for a Change of Location to 302 South 11th Street – [see attached](#).

822 – Over to 07/21/15

- (e) Document submitted by Jose Lieb, re: the application of Aruma Lounge, LLC, dba "Aruma Lounge", 1919 Missouri Avenue, for a Change of Location to 302 South 11th Street – [see attached](#).

822 – Over to 07/21/15

- 27. TU Y YO, Inc., dba "El Aguila Restaurant", 1837 Vinton Street, requests permission to appoint J. Olivo Arturo Resendiz manager of their present Class "I" Liquor License location – [see attached](#). ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))

THE FOLLOWING PERSONS APPEARED AND SPOKE:

Proponents: Arturo Resendiz, El Aguila Restaurant
Michael Henery, 555 Riverfront Plaza

CCID # 823 – Motion by Melton that the request be approved

Seconded by Gernandt

ROLL CALL:

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

Motion Carried 7-0

28. Wal-Mart Stores, Inc., dba “Walmart Store 3152”, 2451 North 90th Street, requests permission to appoint Danielle R. Campbell manager of their present Package Liquor License location – [see attached](#). ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))

Danielle Campbell, Store Manager, Walmart Store 3152, 2451 North 90th Street, appeared and spoke.

CCID # 824 – Motion by Festersen that the request be approved

Seconded by Melton

ROLL CALL:

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

Motion Carried 7-0

29. Res. that, in accordance with the Lottery Operator's Agreement with the City of Omaha, EHPV Lottery Services, LLC is granted approval to operate a Big Red satellite keno location at 6310 Gilmore Avenue, Kendall's Tavern, in Omaha, Nebraska – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

Katrina Coffey, Vice President of Marketing, Big Red Keno, 11248 John Galt Boulevard, appeared and spoke.

Motion by Gernandt that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

Res. # 825 – ADOPTED 7-0

30. Res. that, in accordance with the Lottery Operator's Agreement with the City of Omaha, EHPV Lottery Services, LLC is granted approval to operate a Big Red satellite keno location at 1604 NW Radial Hwy, X-Lounge, in Omaha, Nebraska – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

Katrina Coffey, Vice President of Marketing, Big Red Keno, 11248 John Galt Boulevard, appeared and spoke.

Motion by Gernandt that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

Res. # 826 – ADOPTED 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. 31 through 32 were held on June 30, 2015.)

CONSENT AGENDA – ORDINANCES

31. 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](#).
(See Doc. # 779 – June 23 and June 30 Meetings)
Notice of public hearing on June 30, 2015 published in the Daily Record on June 26, 2015. Ordinance passed on July 14, 2015 published in the Daily Record on July 22, 2015.

CCID # 779 – Motion by Gernandt that the Ordinance be passed

Seconded by Melton

ROLL CALL:

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

ORDINANCE # 40386 – PASSED 7-0

32. 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](#).

(See Doc. # 780 – June 23 and June 30 Meetings)

Notice of public hearing on June 30, 2015 published in the Daily Record on June 26, 2015. Ordinance passed on July 14, 2015 published in the Daily Record on July 22, 2015.

CCID # 780 – Motion by Gernandt that the Ordinance be passed

Seconded by Melton

ROLL CALL:

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

ORDINANCE # 40387 – PASSED 7-0

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

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(The public hearings on Agenda Item Nos. 33 through 47 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

33. Res. that, as recommended by the Mayor, Change Order No. 3 for Valley Corporation for change in site conditions added to OPW 51817, to be performed along 39th and Fontenelle, is hereby approved; and that, the Finance Department is authorized to pay an additional sum of \$136,932.85, for the changes to the contract, from the Sewer Revenue Improvement Fund 21124, Sewer Separation Organization 116912, year 2015 expenditure; Sewer Revenue Bonds will be issued to finance this project – [see attached](#).

Motion by Gernandt that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

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

Res. # 832 – ADOPTED 7-0

34. Res. that, as recommended by the Mayor, the Professional Services Agreement with George Butler Associates, Inc. for preliminary through final design and bid phase services on Phase 1 of the Papillion Creek Interceptor Sewer Manhole Rehabilitation (South Branch) project, known as Project OPW 52767, to include various locations along the Interceptor, is hereby approved; and that the Finance Department is authorized to pay George Butler Associates, Inc. \$99,973.00 for these professional engineering services from the Sewer Revenue Improvement Fund 21124, Neighborhood Sewer Renovation Organization 116911; Sewer Revenue Bonds will be issued to finance this project – [see attached](#).

Motion by Gernandt that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

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

Res. # 833 – ADOPTED 7-0

35. Res. that, as recommended by the Mayor, the Professional Services Agreement with Lamp, Ryneerson & Associates, Inc. for construction phase engineering services on OPW 52456, being the Vinton Street Green Infrastructure project, is hereby approved; and that the Finance Department is authorized to pay Lamp, Ryneerson & Associates, Inc. \$80,000.00 for these professional engineering services from the Sewer Revenue Improvement Fund 21124, CSO Control Implementation Organization 116918; Sewer Revenue Bonds will be issued to finance this project – [see attached](#).

Motion by Gernandt that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

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

Res. # 834 – ADOPTED 7-0

36. Res. that, as recommended by the Mayor, the purchase order to Mackay Meters, Inc. for parking meter housing and mechanisms to be installed along the Blackstone Business District, and along South 24th Street, in accordance with Section 5.16 of the Home Rule Charter of 1956, is hereby approved; and that, the Finance Department is authorized to pay the cost of \$213,452.25 from the Parking Revenue Fund 21116, Parking Meters Organization 116183, year 2015 expenditure – [see attached](#).

Motion by Gernandt that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

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

Res. # 835 – ADOPTED 7-0

37. Res. that, as recommended by the Mayor, the purchase order to IPS Group, Inc. for parking meter mechanisms to be installed along Farnam Street in Midtown Crossing, in accordance with Section 5.16 of the Home Rule Charter of 1956, is hereby approved; and that, the Finance Department is authorized to pay the cost of \$64,350.00 from the Parking Revenue Fund 21116, Parking Meters Organization 116183, year 2015 expenditure – [see attached](#).

Motion by Gernandt that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

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

Res. # 836 – ADOPTED 7-0

38. Res. that, as recommended by the Mayor, the purchase order to Murphy Tractor and Equipment Co., Inc. for replacement components to be installed on the primary Doppstadt grinder at the City's OmaGro composting facility, in accordance with Section 5.16 of the Home Rule Charter of 1956, is hereby approved; and that, the Finance Department is authorized to pay the cost of \$33,875.08 from the General Fund 11111, Compost Operations Organization 116331, year 2015 expenditure – [see attached](#).

Motion by Gernandt that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

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

Res. # 838 – ADOPTED 7-0

39. Res. that, the attached Grant Agreement, as recommended by the Mayor, to provide funding in the amount of \$34,883.00 for the rehabilitation and lead reduction work, when applicable, to the property owned by Martha Paniagua and Eduardo Guerrero located at 3015 SEWARD ST, Omaha, NE 68111, is hereby approved. The contract is to be awarded to Tom Lamb Construction. Funds shall be paid as follows: \$15,500.00 from NAHTF 13-TFHO-2077 Owner Occupied Rehabilitation (Prospect Village), Fund No. 12141, Org. No. 128101; \$19,383.00 from CDBG Target Area Program 2015, Fund No. 12186, Org. No. 128072 – [see attached](#).

Motion by Gernandt that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

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

Res. # 839 – ADOPTED 7-0

40. Res. that, as recommended by the Mayor, the attached Agreement between the City of Omaha and Holy Name Housing Corporation (HNHC), a Nebraska Non-profit Corporation, Sister Marilyn Ross, Executive Director, 3014 North 45th Street, Omaha, Nebraska 68104, to provide \$620,000.00 (comprised of \$125,000.00 in 2010 HOME Program funds, \$235,000.00 in 2014 HOME Program Income Funds and \$260,000.00 in funds from the Nebraska Affordable Housing Trust Fund [NAHTF]) to HNHC for new construction of six (6) single-family houses to be located at 1556, 1552 Florence Blvd and 1558, 1550, 1546, 1542 North 18th Street in the New Single-Family Housing Infill Program Target Area known as Cornerstone East, and the subsequent purchase of the HOME, NAHTF and private funded houses by a qualified low- and moderate-income family whose gross annual household income is 80% and/or 100% or below the MFI, is hereby approved. HOME funds in the amount of \$125,000.00 shall be paid from the FY 2010 Single-Family New Infill Housing Fund No. 12179, Award No. 100060, Project No. 4132, Organization No. 128071, \$235,000.00 from FY 2014 HOME Program Income fund, Fund. No. 12179, Award No. 100181, Project No. 4500, Organization 128071 and \$260,000.00 from the NAHTF Award No. 14-TFHP-7073 Fund No. 12141, Organization 128101 – [see attached](#).

Motion by Gernandt that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

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

Res. # 840 – ADOPTED 7-0

41. Res. that the application of Tenth Street Bridge Properties c/o Terry Waschinek for a lease of City property adjacent to 1002 South 10th Street, Omaha, Nebraska for purposes of a fenced outdoor eating area, as described on the application, be and hereby is approved, contingent upon continued compliance with all requirements made and provided by law; and the Finance Department is directed to issue a billing statement and a lease form to the applicant for execution and return – [see attached](#).

Motion by Gernandt that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

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

Res. # 841 – ADOPTED 7-0

42. Res. that, as recommended by the Mayor, the bid in the total amount of \$169,421.00 (includes Alternate No. 1, in the amount of \$7,621.00) from Mark VII Enterprises, to provide all tools, labor, mechanics for labor, equipment, and materials for the renovation of the exterior of the District #3 building, 4110 South 140th Street, 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 2010 Parks & Recreation Bond Fund No. 13355, and Organization No. 117317, Parks & Cultures Bond – [see attached](#).

Motion by Gernandt that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

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

Res. # 842 – ADOPTED 7-0

43. Res. that, as recommended by the Mayor, the bid in the total amount of \$99,158.00 from LawnSmith & Company, Inc., to provide all tools, labor, mechanics for labor, equipment, and materials for the construction of the sail and rudder concrete pads and related site work for the USS Omaha Memorial, located at Levi Carter Park and Abbott Drive, 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 Parks and Recreation Bond Fund No. 13355 and Organization No. 117317, Parks and Cultures Bond, for the 2015 fiscal year – [see attached](#).

Motion by Gernandt that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

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

Res. # 843 – ADOPTED 7-0

44. Res. that, as recommended by the Mayor, the bid in the total amount of \$26,997.00 from AFL, LLC D/B/A Anderson Ford Lincoln Mercury Mazda, to purchase one (1) 2015 E85 Ford Explorer 4x4, to be utilized by the Parks, Recreation, and Public Property Department, based on a bid to the State of Nebraska per Contract Number 14150 OC, is hereby accepted. The Purchasing Agent is authorized to issue a purchase order in conformance herewith. Funds will be paid from the General Fund No. 11111, and Organization No. 115025, Ground Maintenance Contracts – [see attached](#).

Motion by Gernandt that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

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

Res. # 844 – ADOPTED 7-0

45. Res. that, as recommended by the Mayor, payment to Keystone Turbine Services in the amount of \$69,317.96, for the additional work for the overhaul of one engine for the Omaha Police Department Air Support Unit, is hereby accepted and the same hereby approved; and that the Finance Department of the City of Omaha is authorized to pay \$69,317.96 of the cost of the overhaul from Fiscal Year 2015, General Fund 11111, Organization 113182 Air Support Unit, Account 42237 Aviation Expense – [see attached](#).

Motion by Gernandt that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

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

Res. # 845 – ADOPTED 7-0

46. Res. that Pete Festersen, Chris Jerram, and Aimee Melton be, and hereby are, appointed as members of the committee to assess damages, if any, to owners and parties affected by the vacation of any street or alley within the City where such recommendation for vacation has been made by the City Planning Board, no petition having been filed therefor; and that all previous appointments to such committee are hereby terminated – [see attached](#).

Motion by Gernandt that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

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

Res. # 846 – ADOPTED 7-0

47. Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Titan Machinery for the purchase of a 4WD industrial type tractor with loader and backhoe to be utilized by the Environmental Quality Control Division in the amount of \$107,750.00; and, that the Finance Department is authorized to pay this cost from the Sewer Revenue Fund 21121, Interceptor Maintenance Organization 116717, year 2015 expenditures – [see attached](#).

Motion by Gernandt that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

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

Res. # 837 – ADOPTED 7-0

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

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RESOLUTIONS

48. Res. that, the attached Amendments to the Fiscal Years 2010, 2013, 2014 and 2015 Omaha-Council Bluffs Consortium Consolidated Submission for Community Planning and Development Programs are hereby approved – over from 6/16/15 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 729 – June 16 Meeting)

Motion by Thompson that the Resolution be adopted
Seconded by Melton

ROLL CALL:

Yeas: Melton, Pahls, Thompson, Festersen, Gernandt, Jerram, Mr. President
Res. # 729 – ADOPTED 7-0

49. Res. that, the attached Highlander 75 North Phase I Tax Increment Financing (TIF) Redevelopment Project Plan for a site generally bounded by Patrick Street to the north, 29th Street to the east, Parker Street to the south, and the Pleasant Hill Cemetery to the west for Phase I of a larger project proposes 16 new residential structures, including buildings varying from 1-3 stories consisting of live-work/multi-generational townhomes, traditional townhomes and multi-family rentals and 109 mixed-income units, recommending the City’s participation through the allocation of TIF in an amount up to \$1,200,000.00 primarily used to offset preliminary cost estimates of \$2,856,071.00 in public infrastructure costs associated with this Phase I project, as negotiated between the City of Omaha Public Works Department and the owner/developer, although additional TIF eligible expenses include site work, architectural and engineering fees, and environmental costs, but is subject to change as final costs come in, containing a provision for the division of ad valorem taxes under Section 18-2147 through 18-2150, Revised Statutes of Nebraska, as recommended by the City Planning Department, be and hereby is approved – over from 6/16/15 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 730 – June 16 Meeting)

THE FOLLOWING PERSONS APPEARED AND SPOKE:

Proponent: Othello Meadows, 4927 Miami Street
For the City: Bridget Hadley, Planning Department

Motion by Festersen that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

Res. # 730 – ADOPTED 7-0

50. Res. that, the attached Benson Mixed-Use Tax Increment Financing (TIF) Redevelopment Project Plan for a site generally located southwest of 60th Street and Northwest Radial Highway which contemplates the construction of a new mixed-use development to accommodate 141 market rate residential apartment units, a new parking structure, and 10,800 square feet of commercial space along with the demolition of the existing branch bank building inclusive of the parking lots over two phases, recommending the City's participation through the allocation of TIF in an amount up to \$3,175,787.00 to offset TIF eligible expenses such as acquisition, architectural and engineering fees, site work and demolition costs, and all public improvements associated with this project, but is subject to change as final costs come in, containing a provision for the division of ad valorem taxes under Section 18-2147 through 18-2150, Revised Statutes of Nebraska, as recommended by the City Planning Department, be and hereby is approved – over from 6/23/15 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 777 – June 23 Meeting)

THE FOLLOWING PERSONS APPEARED AND SPOKE:

Proponents: Mark Johnson, representing 60th and Northwest Radial, LLC, 11440
West Center Road

Chris Erickson, 16755 Frances Street

For the City: Bridget Hadley, Planning Department

Motion by Festersen that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

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

Res. # 777 – ADOPTED 7-0

51. Res. that, the attached Rows on South Hill Tax Increment Financing (TIF) Redevelopment Project Plan for a site located at 1228, 1230 and 1234 South 10th Street and 1229 and 1233 South 11th Street proposes the demolition, clearing and grading of the site in preparation for up to 36 new 3-story attached single family town house units which will contain 2 bed/2 baths with 1 or 2 car garage configurations, recommends the City's participation through the allocation of TIF in an amount up to \$1,500,000.00 to offset TIF eligible expenses such as acquisition, site work and demolition, any erosion control, 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 – over from 6/23/15 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 778 – June 23 Meeting)

THE FOLLOWING PERSONS APPEARED AND SPOKE:

Proponent: Tom McClay, representing Clarity Development Company, 8712 West Dodge Road

For the City: Bridget Hadley, Planning Department

Motion by Jerram that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

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

Res. # 778 – ADOPTED 7-0

**“PURSUANT TO CITY COUNCIL RULE VII D
THE PUBLIC HEARINGS
ON AGENDA ITEM NOS. 52 THROUGH 54
SHALL BE HELD ON THE THIRD READING”**

ZONING ORDINANCES ON SECOND READING

52. 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.
(See Doc. # 808 – June 30 Meeting)

CCID # 808 – ORDINANCE ON SECOND READING – Final reading to be held on July 21, 2015 as per City Charter requirements.

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 NBD-Neighborhood Business District.
(See Doc. # 809 – June 30 Meeting)

CCID # 809 – ORDINANCE ON SECOND READING – Final reading to be held on July 21, 2015 as per City Charter requirements.

54. 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](#).
(See Doc. # 810 – June 30 Meeting)

CCID # 810 – ORDINANCE ON SECOND READING – Final reading to be held on July 21, 2015 as per City Charter requirements.

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ORDINANCES ON SECOND READING

55. 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](#). ((PUBLIC HEARING TODAY))
(See Doc. # 797 – June 30 Meeting)

CCID # 797 – Public hearing was held today – Final reading set for July 21, 2015 as per City Charter requirements.

56. 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](#). ((PUBLIC HEARING TODAY))
(See Doc. # 801 – June 30 Meeting)

John Boyer, President, Omaha Zoo Foundation, 409 South 17th Street, appeared and spoke.

CCID # 801 – Public hearing was held today – Final reading set for July 21, 2015 as per City Charter requirements.

57. 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](#). ((PUBLIC HEARING TODAY))
(See Doc. # 812 – June 30 Meeting)

Bridget Hadley, Planning Department, appeared and spoke.

CCID # 812 – Public hearing was held today – Final reading set for July 21, 2015 as per City Charter requirements.

58. 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](#). ((PUBLIC HEARING TODAY))
(See Doc. # 798 – June 30 Meeting)

Bridget Hadley, Planning Department, appeared and spoke.

CCID # 798 – Public hearing was held today – Final reading set for July 21, 2015 as per City Charter requirements.

59. 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](#). ((PUBLIC HEARING TODAY))
(See Doc. # 799 – June 30 Meeting)

Paul Cohen, Administrator, Omaha Douglas Building Commission, 1819 Farnam Street, Suite 1205, appeared and spoke.

CCID # 799 – Public hearing was held today – Final reading set for July 21, 2015 as per City Charter requirements.

60. 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](#). ((PUBLIC HEARING TODAY))
(See Doc. # 800 – June 30 Meeting)

CCID # 800 – Public hearing was held today – Final reading set for July 21, 2015 as per City Charter requirements.

**“PURSUANT TO CITY COUNCIL RULE VII D
THE PUBLIC HEARINGS
ON AGENDA ITEM NOS. 61 THROUGH 80
SHALL BE HELD ON THE THIRD READING”**

ZONING ORDINANCES ON FIRST READING and Planning Board Attachments

61. Ord. to amend Section 55-187 of the Omaha Municipal Code regarding additional regulations in the R4 District; to repeal Section 55-187 as heretofore existing; and to provide the effective date thereof – [see attached](#).

CCID # 847 – Publication to be made and public hearing and third reading to be held on July 28, 2015 as per City Charter requirements.

- (a) Planning Board and Planning Department recommend approval of an amendment to Section 55-187 of the Omaha Municipal Code regarding additional regulations in the R4 District – [see attached](#).

847 – Over to 07/28/15

- 62. Ord. to rezone the property located at 1228, 1230, 1234 South 10th Street and 1229, 1233 South 11th Street from R7-Medium-Density Multiple-Family Residential District and GC-General Commercial District to R7-Medium-Density Multiple-Family Residential District (portions of property are located within an existing NCE-C Overlay District).

CCID # 848 – Publication to be made and public hearing and third reading to be held on July 28, 2015 as per City Charter requirements.

- 63. Ord. to amend the boundaries of the NCE-C Neighborhood Conservation & Enhancement Overlay District, to incorporate into that district the property located at 1228, 1230, 1234 South 10th Street and 1229, 1233 South 11th Street; and to provide for an effective date.

CCID # 849 – Publication to be made and public hearing and third reading to be held on July 28, 2015 as per City Charter requirements.

- (a) Planning Board and Planning Department recommend approval of a request to rezone property located at 1228, 1230, 1234 South 10th Street and 1229, 1233 South 11th Street from R7 and GC to R7 and approve an NCE-C Overlay District (portions of property are located within an existing NCE-C Overlay District) – [see attached](#).

849 – Over to 07/28/15

- 64. Ord. to rezone the properties located at 1718 and 1720 South 13th Street from GI-General Industrial District to NBD-Neighborhood Business District (properties are also located within an existing ACI-1(50) Overlay District).

CCID # 850 – Publication to be made and public hearing and third reading to be held on July 28, 2015 as per City Charter requirements.

- (a) Planning Board and Planning Department recommend approval of a request to rezone the properties located at 1718 and 1720 South 13th Street from GI to NBD (properties are also located within an existing ACI-1(50) Overlay District) – [see attached](#).

850 – Over to 07/28/15

65. Ord. to amend the boundaries of the ACI-2(50)-Area of Civic Importance Overlay District, to incorporate into that district the property located northeast of 35th and Dodge Streets; and to provide for an effective date – [see attached](#).

CCID # 851 – Publication to be made and public hearing and third reading to be held on July 28, 2015 as per City Charter requirements.

- (a) Planning Board and Planning Department recommend approval of an amendment to the boundaries of the ACI-2(50)-Area of Civic Importance Overlay District, to incorporate into that district the property located northeast of 35th and Dodge Street – [see attached](#).

851 – Over to 07/28/15

66. Ord. to rezone property located Southeast of Saddle Creek Road and Dodge Street from R8-High-Density Multiple-Family Residential District and GI-General Industrial District to CC-Community Commercial District (property is also located within an existing ACI-2(50)-Area of Civic Importance Overlay District).

CCID # 854 – Publication to be made and public hearing and third reading to be held on July 28, 2015 as per City Charter requirements.

- (a) Planning Board and Planning Department recommend approval of a request to rezone property located Southeast of Saddle Creek Road and Dodge Street from R8 and GI to CC (property is also located within an existing ACI-2(50)-Area of Civic Importance Overlay District) – [see attached](#).

854 – Over to 07/28/15

67. Ord. to approve a PUR-Planned Unit Redevelopment Overlay District in a CC-Community Commercial District, located Southeast of Saddle Creek Road and Dodge Street, to approve the Development Plan, and to provide for an effective date – [see attached](#).

CCID # 855 – Publication to be made and public hearing and third reading to be held on July 28, 2015 as per City Charter requirements.

- (a) Planning Board and Planning Department recommend approval of a PUR-Planned Unit Redevelopment Overlay District in a CC District, located Southeast of Saddle Creek Road and Dodge Street – [see attached](#).

855 – Over to 07/28/15

68. Ord. to rezone the property located at 2530 “Z” Street from HI-Heavy Industrial District to R5-Urban Family Residential District.

CCID # 858 – Publication to be made and public hearing and third reading to be held on July 28, 2015 as per City Charter requirements.

- (a) Planning Board and Planning Department recommend approval of a request to rezone the property located at 2530 “Z” Street from HI to R5 – [see attached](#).

858 – Over to 07/28/15

69. Ord. to rezone the property located at 5106 Lockwood Lane from DR-Development Reserve District and R2-Single-Family Residential District (low density) to R2-Single-Family Residential District (low density) (property is also located within an existing ED-Environmental Overlay District).

CCID # 859 – Publication to be made and public hearing and third reading to be held on July 28, 2015 as per City Charter requirements.

- (a) Planning Board and Planning Department recommend approval of a request to rezone the property located at 5106 Lockwood Lane from DR and R2 to R2 (property is also located within an existing ED-Environmental Overlay District) – [see attached](#).

859 – Over to 07/28/15

70. Ord. to rezone the property located at 6705 Gilmore Avenue from GI-General Industrial District to R5-Urban Family Residential District.

CCID # 860 – Publication to be made and public hearing and third reading to be held on July 28, 2015 as per City Charter requirements.

- (a) Planning Board and Planning Department recommend approval of a request to rezone the property located at 6705 Gilmore Avenue from GI to R5 – [see attached](#).

860 – Over to 07/28/15

71. Ord. to amend the boundaries of the ACI-3(PL) Area of Civic Importance Overlay District, to incorporate into that district the property located at 7201 Military Avenue; and to provide for an effective date – [see attached](#).

CCID # 861 – Publication to be made and public hearing and third reading to be held on July 28, 2015 as per City Charter requirements.

72. Ord. to amend the boundaries of the MCC-Major Commercial Corridor Overlay District, to incorporate into that district the property located at 7201 Military Avenue; and to provide for an effective date – [see attached](#).

CCID # 862 – Publication to be made and public hearing and third reading to be held on July 28, 2015 as per City Charter requirements.

- (a) Planning Board and Planning Department recommend approval of an ACI-3(PL) Overlay District and MCC-Major Commercial Corridor Overlay District for the property located at 7201 Military Avenue – [see attached](#).

862 – Over to 07/28/15

73. Ord. to rezone property located at 12216 Blair High Road from AG-Agricultural District to DR-Development Reserve District.

CCID # 863 – Publication to be made and public hearing and third reading to be held on July 28, 2015 as per City Charter requirements.

- (a) Planning Board and Planning Department recommend approval of a request to rezone property located at 12216 Blair High Road from AG to DR – [see attached](#).

863 – Over to 07/28/15

74. Ord. to rezone the properties located at 13630 and 13636 Ohio Street from R3-Single Family Residential District (medium density) and R4- Single-Family Residential District (high density) to R4-Single-Family Residential District (high density).

CCID # 867 – Publication to be made and public hearing and third reading to be held on July 28, 2015 as per City Charter requirements.

- (a) Planning Board and Planning Department recommend approval of a request to rezone the properties located at 13630 and 13636 Ohio Street from R3 and R4 to R4 – [see attached](#).

867 – Over to 07/28/15

75. Ord. to rezone property located Northeast of 142nd Street and Wood Valley Drive from AG-Agricultural District to R4-Single-Family Residential District (High-Density).

CCID # 868 – Publication to be made and public hearing and third reading to be held on July 28, 2015 as per City Charter requirements.

- (a) Planning Board and Planning Department recommend approval of a request to rezone property located Northeast of 142nd Street and Wood Valley Drive from AG to R4 – [see attached](#).

868 – Over to 07/28/15

76. Ord. to amend the boundaries of the MCC-Major Commercial Corridor Overlay District, to incorporate into that district the property located at 14404 Stony Brook Boulevard; and to provide for an effective date – [see attached](#).

CCID # 871 – Publication to be made and public hearing and third reading to be held on July 28, 2015 as per City Charter requirements.

- (a) Planning Board and Planning Department recommend approval of an MCC-Major Commercial Corridor Overlay District for the property located at 14404 Stony Brook Boulevard – [see attached](#).

871 – Over to 07/28/15

77. Ord. to rezone property located at 3505 North 160th Street from DR-Development Reserve District and R6-Low-Density Multiple-Family Residential District to DR-Development Reserve District.

CCID # 873 – Publication to be made and public hearing and third reading to be held on July 28, 2015 as per City Charter requirements.

- (a) Planning Board and Planning Department recommend approval of a request to rezone the property located at 3505 North 160th Street from DR and R6 to DR – [see attached](#).

873 – Over to 07/28/15

78. Ord. to rezone property located Northwest of 192nd and Harrison Streets from AG-Agricultural District to DR-Development Reserve District.

CCID # 874 – Publication to be made and public hearing and third reading to be held on July 28, 2015 as per City Charter requirements.

79. Ord. to rezone property located Northwest of 192nd and Harrison Streets from AG-Agricultural District to MU-Mixed Use District.

CCID # 875 – Publication to be made and public hearing and third reading to be held on July 28, 2015 as per City Charter requirements.

- (a) Planning Board and Planning Department recommend approval of a request to rezone property located Northwest of 192nd and Harrison Streets from AG-Agricultural District to DR-Development Reserve District and MU-Mixed Use District – [see attached](#).

875 – Over to 07/28/15

80. Ord. to approve a Mixed Use Development Agreement for property located Northwest of 192nd and Harrison Streets between the City of Omaha and Royce Falling Waters, LLC, providing site development standards; and to provide for an effective date – [see attached](#).

CCID # 876 – Publication to be made and public hearing and third reading to be held on July 28, 2015 as per City Charter requirements.

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**“PURSUANT TO CITY COUNCIL RULE VII C
THE PUBLIC HEARINGS
ON AGENDA ITEM NOS. 81 THROUGH 84
SHALL BE HELD ON THE SECOND READING”**

ORDINANCES ON FIRST READING

81. Ord. approving an Agreement for the sale of City-owned real property; to provide that notwithstanding any provisions of the Omaha Municipal Code to the contrary, the City is authorized to enter into the attached Agreement with Holy Name Housing Corporation, a Nebraska Non-profit Corporation, 3014 North 45th Street, Omaha, Nebraska 68104, to convey twenty-nine (29) buildable properties to be used for development of affordable single-family homes. Twenty-four (24) properties are located in the Prospect Village Redevelopment Area and the five (5) additional properties are located within the North Omaha Neighborhood Revitalization Strategy Area boundaries. The properties are identified on Attachment “A” of the Purchase Agreement for the sum of One and No/100 Dollars (\$1.00); and to provide the effective date hereof – [see attached](#).

CCID # 879 – Publication to be made and public hearing to be held on July 21, 2015 as per City Charter requirements.

82. Ord. to amend Section 2-71 of the Omaha Municipal Code pertaining to the salary of the Mayor; to raise the Mayor's salary at a rate of two percent (2%) per year for 2019, 2020, 2021, and 2022 commencing on January 1 of each year and continuing through the end of the calendar year; to repeal the section as previously existing; and to establish an effective date hereof – [see attached](#).

CCID # 880 – Publication to be made and public hearing to be held on July 21, 2015 as per City Charter requirements.

83. Ord. to amend Section 2-21 of the Omaha Municipal Code pertaining to the salary of City Councilmembers; to raise the City Councilmembers' salary at a rate of 2% per year for 2019, 2020, 2021, and 2022 commencing on January 1 of each year and continuing through the end of the calendar year, to repeal the section as previously existing; and to establish an effective date hereof – [see attached](#).

CCID # 881 – Publication to be made and public hearing to be held on July 21, 2015 as per City Charter requirements.

84. Ord. to approve the acceptance of the City of Omaha and Douglas County joint application to the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, FY 2015 Edward Byrne Memorial Justice Assistance Grant Program, Application #2015-H2335-NE-DJ, in the amount of three hundred and seventy three thousand, five hundred and eighty two dollars (\$373,582) for law enforcement personnel and equipment, crime prevention and education programs, corrections crisis intervention team training, prosecution programs, and technology improvements and training during the period of October 1, 2015 to September 30, 2018; to provide the Council an opportunity for review and public comment for such application; and upon award of such grant to authorize payment from such grant funding and involving appropriations of more than one year in conformity with Section 5.17 of the Home Rule Charter; and, to provide for the effective date hereof – [see attached](#).

CCID # 882 – Publication to be made and public hearing to be held on July 21, 2015 as per City Charter requirements.

EXECUTIVE SESSION

85. 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 Festersen

ROLL CALL:

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

Motion Carried 7-0

ADJOURNED: 4:04 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 July 14th, 2015.

WITNESS:

CITY CLERK

THE PROCEEDINGS OF THIS MEETING WERE PRESENTED TO MAYOR JEAN STOTHERT ON THE 16TH DAY OF JULY, 2015.