

## 25<sup>th</sup> REGULAR OMAHA CITY COUNCIL MEETING

JULY 21, 2015

THE CITY COUNCIL met in Regular Session on Tuesday, July 21, 2015 at 2:00 o'clock P.M. in the Legislative Chambers, Omaha/Douglas Civic Center, Omaha, Nebraska and was called to Order by Council President Ben Gray.

### ROLL CALL

1. City Clerk calls the roll.

**CCID # 884** – Present: Pahls, Thompson, Festersen, Gernandt, Jerram, Melton, Mr. President

2. Pledge of Allegiance.

3. Invocation by Council President Ben Gray of District No. 2.

### CERTIFICATION OF PUBLICATION - NOTIFICATION OF OPEN MEETING ACT

4. City Clerk certifies publication in Daily Record, the Official Newspaper of the City of Omaha on July 17, 2015, notice re: Pre-Council and Regular City Council Meetings, July 21, 2015.

**CCID # 885** – 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.

## **MAYOR'S BUDGET MESSAGE AND PRESENTATION FOR YEAR 2016**

5. Mayor Jean Stothert's Budget Message and Presentation of the recommended budget for year 2016 – [see attached](#). ((MOTION NEEDED TO SET THE PUBLIC HEARING ON AUGUST 11, 2015 AT 7:00 P.M.))

**CCID # 935** - Motion by Gernandt to set the public hearing on August 11, 2015 at 7:00 p.m.

Seconded by Festersen

ROLL CALL:

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

Motion Carried 7-0

## **ZONING ORDINANCES ON FINAL READING and Planning Board Attachments**

6. 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. ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))

(See Doc. # 808 – June 30 and July 14 Meetings)

**Notice of public hearing on July 21, 2015 published in the Daily Record on July 3, 2015. Ordinance passed on July 21, 2015 published in the Daily Record on July 29, 2015.**

Larry Jobeun, representing Lanoha 135 Millard, LLC, 11440 West Center Road, appeared and spoke.

**CCID # 808** – Motion by Melton that the Ordinance be passed

Seconded by Festersen

ROLL CALL:

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

**ORDINANCE # 40388** – PASSED 7-0

7. 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. ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))

(See Doc. # 809 – June 30 and July 14 Meetings)

**Notice of public hearing on July 21, 2015 published in the Daily Record on July 3, 2015. Ordinance passed on July 21, 2015 published in the Daily Record on July 29, 2015.**

Larry Jobeun, representing Lanoha 135 Millard, LLC, 11440 West Center Road, appeared and spoke.

**CCID # 809** – Motion by Melton that the Ordinance be passed

Seconded by Festersen

ROLL CALL:

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

**ORDINANCE # 40389** – PASSED 7-0

- (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](#).

(See Doc. # 809 – June 30 Meeting)

**# 809** – From Chair on File

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

(See Doc. # 810 – June 30 and July 14 Meetings)

**Notice of public hearing on July 21, 2015 published in the Daily Record on July 3, 2015. Ordinance passed on July 21, 2015 published in the Daily Record on July 29, 2015.**

Larry Jobeun, representing Lanoha 135 Millard, LLC, 11440 West Center Road, appeared and spoke.

**CCID # 810** – Motion by Melton that the Ordinance be passed

Seconded by Festersen

ROLL CALL:

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

**ORDINANCE # 40390** – PASSED 7-0

- (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](#).

(See Doc. # 810 – June 30 Meeting)

**# 810** – From Chair on File

9. 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 – over from 6/30/15 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))  
(See Doc. # 811 – June 30 Meeting)

Larry Jobeun, representing Lanoha 135 Millard, LLC, 11440 West Center Road, appeared and spoke.

Motion by Melton that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

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

**Res. # 811 – ADOPTED 7-0**

- (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, 134<sup>th</sup> Street on the east and 136<sup>th</sup> Street on the west – Inside City – over from 6/30/15 – [see attached](#).  
(See Doc. # 811 – June 30 Meeting)

**# 811 – From Chair on File**

10. Res. that, the Subdivision Agreement between the City of Omaha and Lanoha 135 Millard LLC, a Nebraska limited liability company, as recommended by the Mayor, providing for the Watershed Management fees and sewer connection to the Omaha Sanitary Sewer System, is hereby approved. The Subdivision is to be known as Lumberyard District (Lots 1-7) and is located in an area generally bounded between "Q" Street and Millard Avenue and between 134<sup>th</sup> and 136<sup>th</sup> Streets – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

Larry Jobeun, representing Lanoha 135 Millard, LLC, 11440 West Center Road, appeared and spoke.

Motion by Melton that the Resolution be adopted  
Seconded by Festersen  
ROLL CALL:  
Yeas: Pahls, Thompson, Festersen, Gernandt, Jerram, Melton, Mr. President  
**Res. # 890** – ADOPTED 7-0

**RESOLUTIONS RE: PRELIMINARY PLAT, PLAT AND SUBDIVISION AGREEMENT**

**“PURSUANT TO CITY COUNCIL RULE VII H  
DUE TO NO MEETING BEING HELD AUGUST 4, 2015  
AGENDA ITEM NOS. 11 THROUGH 12  
SHALL BE LAID OVER THREE WEEKS TO AUGUST 11, 2015  
FOR PUBLICATION AND PUBLIC HEARING”**

11. Res. that the preliminary plat entitled AKSARBEN VILLAGE SOUTH, located south of 63<sup>rd</sup> Street and West Center Road, along with the attached conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized – Inside City – [see attached](#).  
**Notice of public hearing on August 11, 2015 published in the Daily Record on July 24, 2015.**

**CCID # 910** – Over three weeks to August 11, 2015 for publication and public hearing pursuant to City Council Rule VII H.

- (a) Planning Board and Planning Department recommend approval of the Preliminary Plat of AKSARBEN VILLAGE SOUTH, located south of 63<sup>rd</sup> Street and West Center Road – Inside City – [see attached](#).

**# 910** – Over to 08/11/15

12. Res. that the plat entitled WEST DODGE POINTE (Lots 2A, 3A, 4A, 9A, 10A, 11A and Outlot “C”), located Northwest of 168<sup>th</sup> Street and West Dodge Road, is hereby approved and accepted – Inside City – [see attached](#).  
**Notice of public hearing on August 11, 2015 published in the Daily Record on July 24, 2015.**

**CCID # 932** – Over three weeks to August 11, 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 WEST DODGE POINTE (Lots 2A, 3A, 4A, 9A, 10A, 11A and Outlot “C”), located Northwest of 168<sup>th</sup> Street and West Dodge Road – Inside City – [see attached](#).

**# 932** – Over to 08/11/15

\* \* \* \* \*

**“PURSUANT TO CITY COUNCIL RULE VII H  
DUE TO NO MEETING BEING HELD AUGUST 4, 2015  
AGENDA ITEM NO. 13  
SHALL BE LAID OVER THREE WEEKS TO AUGUST 11, 2015”**

- 13. Res. that, the Amendment to the Subdivision Agreement among the City of Omaha, Tribedo, LLC, a Nebraska limited liability company, the West Dodge Pointe Landowners Association, a Nebraska non-profit corporation, and Sanitary and Improvement District No. 538 of Douglas County, Nebraska, as recommended by the Mayor, providing for the Parks fees and the use, ownership, and maintenance responsibilities of the outlot, is hereby approved. The Subdivision is to be known as West Dodge Pointe (Lots 2A, 3A, 4A, 9A, 10A, 11A, and Outlot C) and is located northwest of 168<sup>th</sup> Street and West Dodge Road – Inside City – [see attached](#).

**CCID # 912** – Over three weeks to August 11, 2015 pursuant to City Council Rule VII H.

\* \* \* \* \*

**LIQUOR**

- 14. Aruma Lounge, LLC, dba “Aruma Lounge”, 1919 Missouri Avenue, requests permission for a CHANGE OF LOCATION of their present Class “1” Liquor License location to 302 South 11<sup>th</sup> Street, and to Change the Trade Name to “El Parian Mexican Bar & Grill”. Property posted: 06-26-15; Notification sent: 07-02-15 – over from 7/14/15 – [see attached](#). ((PUBLIC HEARING HELD 7/14/15 – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))  
(See Doc. # 822 – July 14 Meeting)

THE FOLLOWING PERSONS APPEARED AND SPOKE:

Proponents: Mike Kelley, Attorney for the applicant, 7134 Pacific Street  
Jose Lieb, 5615 North 51<sup>st</sup> Street

**CCID # 822** – Application read

Motion by Melton to amend the application to delete the second floor

Seconded by Thompson

ROLL CALL:

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

Pass: Jerram

CITY CLERK CALLS THE ROLL AGAIN:

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

Pass: Jerram

Councilmember Jerram passed due to potential conflict of interest

Motion Carried 6-0-1 Pass

Motion by Melton that the request be APPROVED AS AMENDED conditioned on the Signed Statement of Aruma Lounge, LLC, dba "El Parian Mexican Bar & Grill" at 302 South 11<sup>th</sup> Street

Seconded by Pahls

ROLL CALL:

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

Pass: Jerram

CITY CLERK CALLS THE ROLL AGAIN:

Yeas: Pahls, Thompson, Festersen, Gernandt, Melton, 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 11<sup>th</sup> Street – over from 7/14/15 – [see attached](#).

(See Doc. # 822 – July 14 Meeting)

**# 822** – From Chair on File

- (b) Communication from the City Clerk. Re: Aruma Lounge, LLC Omaha World Herald Article from June 5, 2015 – over from 7/14/15 – [see attached](#).

(See Doc. # 822 – July 14 Meeting)

**# 822** – From Chair on File

- (c) Communication opposing the application of Aruma Lounge, LLC, dba "Aruma Lounge", 1919 Missouri Avenue for a Change of Location to 302 South 11<sup>th</sup> Street – over from 7/14/15 – [see attached](#).

(See Doc. # 822 – July 14 Meeting)

**# 822** – From Chair on File

- (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 11<sup>th</sup> Street – over from 7/14/15 – [see attached](#).

(See Doc. # 822 – July 14 Meeting)

**# 822** – From Chair on File

- (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 11<sup>th</sup> Street – over from 7/14/15 – [see attached](#).  
(See Doc. # 822 – July 14 Meeting)

**# 822** – From Chair on File

- (f) Communication opposing the application of Aruma Lounge, LLC, dba “Aruma Lounge”, 1919 Missouri Avenue, for a Change of Location to 302 South 11<sup>th</sup> Street – [see attached](#).

**# 822** – From Chair on File

- (g) Signed Statement of Aruma Lounge, LLC, dba “El Parian Mexican Bar & Grill” at 302 South 11<sup>th</sup> Street – [see attached](#).

**# 822** – From Chair on File

- 15. CLASS “I” - Affairs Remembered, Inc., dba “UNO Thompson Alumni House”, 6705 Dodge Street. New application, New location. Property posted: 06-26-15; Notification sent: 07-10-15 – [see attached](#). ((YOU HAVE YOUR HEARING ON THE APPLICATION BUT YOUR MOTION SHOULD BE TO ADOPT A RESOLUTION EITHER TO GRANT OR DENY))

Grant Forsberry, Attorney for the applicant, appeared and spoke.

Motion by Jerram that the Resolution to GRANT be adopted

Seconded by Festersen

ROLL CALL:

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

**Res. # 886** – ADOPTED 7-0

- 16. TKriegler Corp., dba “On The Q St Bar”, 4821 “Q” Street, requests permission for an addition to their present Class “C” Liquor License location of an outdoor area approx. 25’ x 33’ to the south and west. Property posted: 07-01-15; Notification sent: 07-10-15 – [see attached](#). ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))

Tammy Kriegler, Owner, On the Q St Bar, 4821 “Q” Street, appeared and spoke.

**CCID # 887** – Motion by Gernandt that the request be approved contingent upon their compliance with the City of Omaha Planning Department and proper permits obtained

Seconded by Jerram

ROLL CALL:

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

Motion Carried 7-0

- (a) Communication from Michael W. Wilwerding, Chief Building Inspector, Permits & Inspection Division, requesting a lay over until such time as compliance is met with the Planning Department and permits are obtained and final inspections completed re: TKriegler Corp., dba “On The Q St Bar”, 4821 “Q” Street – [see attached](#).

**# 887** – From Chair on File

17. 5216, LLC, dba “Club 5216”, 5216 North 24<sup>th</sup> Street, requests permission for an addition to their present Class “1” Liquor License location of an area approx. 22’ x 68’ to the north known as 5218 North 24<sup>th</sup> Street. Property posted: 07-01-15; Notification sent: 07-10-15 – [see attached](#). ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))

Mike Kelley, Attorney for the applicant, 7134 Pacific Street, appeared and spoke.

**CCID # 888** – Motion by Thompson that the request be approved

Seconded by Melton

ROLL CALL:

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

Pass: Jerram

CITY CLERK CALLS THE ROLL AGAIN:

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

Pass: Jerram

Councilmember Jerram passed due to potential conflict of interest

Motion Carried 6-0-1 Pass

18. City of Omaha, A Municipal Corporation, dba “Harry A. Koch Trap & Skeet Range”, 6802 Harrison Street, requests permission to appoint Pamela L. Perry manager of their present Class “1” Liquor License location – [see attached](#). ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))

Pamela Perry, 13011 Browne Circle, appeared and spoke.

**CCID # 889** – Motion by Jerram that the request be approved

Seconded by Melton

ROLL CALL:

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

Motion Carried 7-0

### **CONSENT AGENDA**

(Any member of the City Council may cause any item placed on the Consent Agenda to be removed there from. Items removed from the Consent Agenda shall be taken up by the City Council immediately following the Consent Agenda in the order in which they were removed unless otherwise taken out of order as otherwise provided by the City Council Rules of Order.)

(The public hearings on Agenda Item Nos. 19 through 24 were held on July 14, 2015.)

### **CONSENT AGENDA – ORDINANCES**

19. 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](#).

(See Doc. # 797 – June 30 and July 14 Meetings)

**Notice of public hearing on July 14, 2015 published in the Daily Record on July 3, 2015. Ordinance passed on July 21, 2015 published in the Daily Record on July 29, 2015.**

**CCID # 797** – Motion by Gernandt that the Ordinance be passed

Seconded by Thompson

ROLL CALL:

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

**ORDINANCE # 40391 – PASSED 7-0**

20. 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](#).

(See Doc. # 801 – June 30 and July 14 Meetings)

**Notice of public hearing on July 14, 2015 published in the Daily Record on July 3, 2015. Ordinance passed on July 21, 2015 published in the Daily Record on July 29, 2015.**

**CCID # 801** Motion by Gernandt that the Ordinance be passed

Seconded by Thompson

ROLL CALL:

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

**ORDINANCE # 40392 – PASSED 7-0**

- (a) Planning Board and Planning Department recommend approval of the vacation to the north and south of Bob Gibson Boulevard between 10<sup>th</sup> Street and 13<sup>th</sup> Street – Inside City – [see attached](#).  
(See Doc. # 801 – July 14 Meeting)

**# 801 – From Chair on File**

21. 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](#).

(See Doc. # 812 – June 30 and July 14 Meetings)

**Notice of public hearing on July 14, 2015 published in the Daily Record on July 3, 2015. Ordinance passed on July 21, 2015 published in the Daily Record on July 29, 2015.**

**CCID # 812 –** Motion by Gernandt that the Ordinance be passed

Seconded by Thompson

ROLL CALL:

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

**ORDINANCE # 40393 – PASSED 7-0**

22. 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](#).

(See Doc. # 798 – June 30 and July 14 Meetings)

**Notice of public hearing on July 14, 2015 published in the Daily Record on July 3, 2015. Ordinance passed on July 21, 2015 published in the Daily Record on July 29, 2015.**

**CCID # 798** – Motion by Gernandt that the Ordinance be passed

Seconded by Thompson

ROLL CALL:

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

**ORDINANCE # 40394** – PASSED 7-0

23. 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](#).

(See Doc. # 799 – June 30 and July 14 Meetings)

**Notice of public hearing on July 14, 2015 published in the Daily Record on July 3, 2015. Ordinance passed on July 21, 2015 published in the Daily Record on July 29, 2015.**

**CCID # 799** – Motion by Gernandt that the Ordinance be passed

Seconded by Thompson

ROLL CALL:

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

**ORDINANCE # 40395** – PASSED 7-0

24. 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](#).

(See Doc. # 800 – June 30 and July 14 Meetings)

**Notice of public hearing on July 14, 2015 published in the Daily Record on July 3, 2015. Ordinance passed on July 21, 2015 published in the Daily Record on July 29, 2015.**

**CCID # 800** – Motion by Gernandt that the Ordinance be passed

Seconded by Thompson

ROLL CALL:

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

**ORDINANCE # 40396** – PASSED 7-0

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

\* \* \* \* \*

(The public hearings on Agenda Item Nos. 25 through 42 are today. If you wish to address the City Council regarding these items, please come to the microphone, indicate the Agenda Item Number you wish to address, identify yourself by your name, address, who you represent, and if you are a proponent or opponent.)

### **CONSENT AGENDA – RESOLUTIONS**

25. Res. that, as recommended by the Mayor, Change Order Nos. 15 and 16 for Hawkins Construction Company to administer the necessary modifications to OPW 51875, being the Missouri River Wastewater Treatment Plant Combined Sewer Overflow Improvements Project located at the Missouri River Wastewater Treatment Plant, is hereby approved; and that, the Finance Department is authorized to pay an additional \$513,062.34 for these changes from the Sewer Revenue Improvement Fund 21124, Capital Asset Replacement Program Organization 116913; Sewer Revenue Bonds will be issued to finance this project – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

Pass: Gernandt

CITY CLERK CALLS THE ROLL AGAIN:

ROLL CALL:

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

**Res. # 891** – ADOPTED 7-0

26. Res. that, as recommended by the Mayor, Change Order Nos. 1 through 4 for Roloff Construction Company to administer the necessary modifications to OPW 51997, being the Missouri Avenue/ Spring Lake Park Sewer Separation Project located along Missouri Avenue at Spring Lake Park, is hereby approved; and that, the Finance Department is authorized to pay an additional \$198,917.66 for these changes 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 Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

Pass: Gernandt

CITY CLERK CALLS THE ROLL AGAIN:

ROLL CALL:

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

**Res. # 892** – ADOPTED 7-0

27. Res. that, as recommended by the Mayor, the Professional Services Agreement with E & A Consulting Group, Inc. for construction phase engineering services on OPW 52184, being the Gilmore Avenue Sewer Separation project, is hereby approved; and that the Finance Department is authorized to pay E & A Consulting Group, Inc. \$88,524.00 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 Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

Pass: Gernandt

CITY CLERK CALLS THE ROLL AGAIN:

ROLL CALL:

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

**Res. # 893** – ADOPTED 7-0

28. Res. that, as recommended by the Mayor, the Agreement between the City of Omaha and the Omaha Public Power District for the John Creighton Boulevard streetlight facility construction, payment, and transfer of ownership, as a part of OPW 52165, being the John Creighton Boulevard and Miami Street area sewer separation project, is hereby approved – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

Pass: Gernandt

CITY CLERK CALLS THE ROLL AGAIN:

ROLL CALL:

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

**Res. # 894** – ADOPTED 7-0

29. Res. that, as recommended by the Mayor, the Professional Services Agreement with Terracon Consultants for construction phase materials testing services on OPW 52184, being the Gilmore Avenue Sewer Separation project, is hereby approved; and that the Finance Department is authorized to pay Terracon Consultants \$86,863.00 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 Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

Pass: Gernandt

CITY CLERK CALLS THE ROLL AGAIN:

ROLL CALL:

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

**Res. # 895** – ADOPTED 7-0

30. Res. that, as recommended by the Mayor, the Professional Services Agreement with Tetra Tech, Inc. for field investigation, preliminary through final design and bid phase services on OPW 52780, being the Field Club Trail Green Infrastructure project, is hereby approved; and that the Finance Department is authorized to pay Tetra Tech, Inc. \$905,799.00 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 Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

Pass: Gernandt

CITY CLERK CALLS THE ROLL AGAIN:

ROLL CALL:

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

**Res. # 896** – ADOPTED 7-0

31. Res. that, as recommended by the Mayor, the Professional Services Agreement with Tetra Tech, Inc. for field investigation, preliminary through final design and bid phase services on OPW 52781, being the Hanscom Park Green Infrastructure project, is hereby approved; and that the Finance Department is authorized to pay Tetra Tech, Inc. \$989,479.00 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 Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

Pass: Gernandt

CITY CLERK CALLS THE ROLL AGAIN:

ROLL CALL:

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

**Res. # 897** – ADOPTED 7-0

32. Res. that, the Mayor is hereby authorized to sign, and the City Clerk is hereby authorized to attest, a quitclaim deed in the form of the attached Exhibit A, transferring from the City of Omaha to the Board of Regents of the University of Nebraska the east half of vacated South 39<sup>th</sup> Street between Mason and Pacific Streets – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

Pass: Gernandt

CITY CLERK CALLS THE ROLL AGAIN:

ROLL CALL:

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

**Res. # 898** – ADOPTED 7-0

33. Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue purchase orders to Nebraska Salt & Grain Company in the amount of \$1,503,300.00 for the purchase of approximately 30,000 tons of rock salt for the 2015-2016 winter season; and, that the Finance Department is authorized to pay this cost from the Street and Highway Allocation Fund 12131, Snow and Ice Control Organization 116154, year 2015 expenditures – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

Pass: Gernandt

CITY CLERK CALLS THE ROLL AGAIN:

ROLL CALL:

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

**Res. # 899** – ADOPTED 7-0

34. Res. that, the attached Grant Agreement, as recommended by the Mayor, to provide funding in the amount of \$43,892.00 for the rehabilitation and lead reduction work, when applicable, to the property owned by Javier M. Alba located at 3510 Blondo Street, Omaha, NE 68111, is hereby approved. The contract is to be awarded to Rife Construction, Inc. Funds shall be paid as follows: \$28,392.00 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: Pahls, Thompson, Festersen, Jerram, Melton, Mr. President

Pass: Gernandt

CITY CLERK CALLS THE ROLL AGAIN:

ROLL CALL:

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

**Res. # 900** – ADOPTED 7-0

35. Res. that, as recommended by the Mayor, the bid in the total amount of \$157,032.00 from AFL, LLC d/b/a Anderson Ford Lincoln Mercury Mazda, to purchase six (6) 2015 Ford Transit One Ton, Full Size Cargo Vans, to be utilized by the Parks, Recreation, and Public Property Department, based on a bid to the State of Nebraska per Contract Number 14145 OC, is hereby accepted. The Purchasing Agent is authorized to issue a purchase order in conformance herewith. Funds will be paid from the City Capital Improvement Fund No. 13112, and Organization No. 132026, Culture & Parks. The City will finance the purchase of the equipment through the issuance of lease purchase bonds – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

Pass: Gernandt

CITY CLERK CALLS THE ROLL AGAIN:

ROLL CALL:

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

**Res. # 901 – ADOPTED 7-0**

36. Res. that, as recommended by the Mayor, the bid in the total amount of \$168,732.00 from AFL, LLC d/b/a Anderson Ford Lincoln Mercury Mazda, to purchase four (4) 2015 Ford F450, 2WD, Regular Cab, Diesel, with Dual Rear Wheels and Dump Body Trucks, to be utilized by the Parks, Recreation, and Public Property Department, based on a bid to the State of Nebraska per Contract Number 12929 OC, is hereby accepted. The Purchasing Agent is authorized to issue a purchase order in conformance herewith. Funds will be paid from the City Capital Improvement Fund No. 13112, and Organization No. 132026, Culture & Parks. The City will finance the purchase of the equipment through the issuance of lease purchase bonds – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

Pass: Gernandt

CITY CLERK CALLS THE ROLL AGAIN:

ROLL CALL:

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

**Res. # 902 – ADOPTED 7-0**

37. Res. that, as recommended by the Mayor, the bid in the total amount of \$128,860.00 from Sid Dillon Wahoo, Inc., d/b/a Sid Dillon Chevrolet Buick, to purchase five (5) 2015, Chevrolet Silverado, 3/4 Ton, Gas Engine, Regular Cab, 4x4 pick-up trucks with snow plow prep package, to be utilized by the Parks, Recreation, and Public Property Department, based on a bid to the State of Nebraska per Contract Number 14098 OC, is hereby accepted. The Purchasing Agent is authorized to issue a purchase order in conformance herewith. Funds will be paid from the City Capital Improvement Fund No. 13112, and Organization No. 132026, Culture and Parks. The City will finance the purchase of the equipment through the issuance of lease purchase bonds – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

Pass: Gernandt

CITY CLERK CALLS THE ROLL AGAIN:

ROLL CALL:

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

**Res. # 903** – ADOPTED 7-0

38. Res. that, as recommended by the Mayor, the bid in the total amount of \$70,155.00 from Sid Dillon Wahoo, Inc., d/b/a Sid Dillon Chevrolet Buick, to purchase three (3) 2015, Chevrolet Silverado, ½ Ton, Regular Cab, 4x4 pick-up trucks, to be utilized by the Parks, Recreation, and Public Property Department, based on a bid to the State of Nebraska per Contract Number 14115 OC, is hereby accepted. The Purchasing Agent is authorized to issue a purchase order in conformance herewith. Funds will be paid from the City Capital Improvement Fund No. 13112, and Organization No. 132026, Culture and Parks. The City will finance the purchase of the equipment through the issuance of lease purchase bonds – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

Pass: Gernandt

CITY CLERK CALLS THE ROLL AGAIN:

ROLL CALL:

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

**Res. # 904** – ADOPTED 7-0

39. Res. that, as recommended by the Mayor, the park closing hours will be suspended at the Florence Community Center, 2920 Bondesson Street, Omaha, Nebraska, between 6:00 p.m. on Friday, September 18, 2015 and 10:00 a.m. on Saturday, September 19, 2015, to accommodate the overnight **Family Camp** event – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

Pass: Gernandt

CITY CLERK CALLS THE ROLL AGAIN:

ROLL CALL:

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

**Res. # 905** – ADOPTED 7-0

40. Res. that as recommended by the Mayor, the Contract between the Omaha Human Rights and Relations Department and the U.S. Equal Opportunity Commission for reimbursement for processing employment discrimination complaints arising within its jurisdiction for EEOC for the time period of October 1, 2014, to September 30, 2015, and in the amount of \$29,750.00, attached hereto as Exhibit "A", is hereby approved – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

Pass: Gernandt

CITY CLERK CALLS THE ROLL AGAIN:

ROLL CALL:

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

**Res. # 933** – ADOPTED 7-0

41. Res. that, as recommended by the Mayor, the annual subscription service based upon the invoice of Cengage Learning, providing a unique and non-competitive service, in the amount not to exceed \$42,712.26 for the annual subscription of Learning Databases is hereby approved; and, the Finance Department is authorized to pay the \$42,712.26 cost thereof from the Library's General Fund 11111, Organization 117016, Object Code 43416, year 2015 expenditures – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

Pass: Gernandt

CITY CLERK CALLS THE ROLL AGAIN:

ROLL CALL:

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

**Res. # 906** – ADOPTED 7-0

42. Res. that the appointment by Mayor Stothert of Kyle R. Hutchings as a member of the Library Board to serve a three-year term, commencing upon confirmation by the City Council, and expiring June 30, 2018, be and hereby is confirmed and approved – [see attached](#).

Motion by Jerram that the Resolution be adopted  
Seconded by Gray  
ROLL CALL:  
Yeas: Pahls, Thompson, Festersen, Jerram, Melton, Mr. President  
Pass: Gernandt  
CITY CLERK CALLS THE ROLL AGAIN:  
ROLL CALL:  
Yeas: Pahls, Thompson, Festersen, Gernandt, Jerram, Melton, Mr. President  
**Res. # 908 – ADOPTED 7-0**

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

\* \* \* \* \*

**RESOLUTIONS**

- 43. 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 – over from 6/30/15 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))  
(See Doc. # 803 – June 30 Meeting)

Bridget Hadley, Planning Department, appeared and spoke.

Motion by Jerram that the Resolution be adopted  
Seconded by Thompson  
ROLL CALL:  
Yeas: Pahls, Thompson, Festersen, Gernandt, Jerram, Melton, Mr. President  
**Res. # 803 – ADOPTED 7-0**

- 44. Res. that the Final Offer attached as Exhibit “A” to this Resolution is the City of Omaha’s Final Offer to the Omaha Police Union Local No. 101 AFL-CIO-I.U.P.A. A/K/A Omaha Police Officers Association, for calendar year 2015 for the wages, employee benefits and overall compensation practices for members of the Omaha Police Union Local No. 101 AFL-CIO-I.U.P.A. A/K/A Omaha Police Officers Association is hereby approved – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

THE FOLLOWING PERSONS APPEARED AND SPOKE:

Proponent: Mark McQueen, Baird Holm, 1700 Farnam Street, Suite 1500

Protestant: John Wells, President, Omaha Police Officer's Association

For the City: Bernard in den Bosch, Deputy City Attorney

Motion by Thompson that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

Nay: Gernandt

**Res. # 934** – ADOPTED 6-1

**“PURSUANT TO CITY COUNCIL RULE VII D  
THE PUBLIC HEARINGS  
ON AGENDA ITEM NOS. 45 THROUGH 64  
SHALL BE HELD ON THE THIRD READING”**

**ZONING ORDINANCES ON SECOND READING**

45. 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](#).  
(See Doc. # 847 – July 14 Meeting)

**CCID # 847** – ORDINANCE ON SECOND READING – Final reading to be held on July 28, 2015 as per City Charter requirements.

46. 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).  
(See Doc. # 848 – June 30 Meeting)

**CCID # 848** – ORDINANCE ON SECOND READING – Final reading to be held on July 21, 2015 as per City Charter requirements.

47. 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 – [see attached](#).  
(See Doc. # 849 – June 30 Meeting)

**CCID # 849** – ORDINANCE ON SECOND READING – Final reading to be held on July 21, 2015 as per City Charter requirements.

48. 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).  
(See Doc. # 850 – June 30 Meeting)

**CCID # 850** – ORDINANCE ON SECOND READING – Final reading to be held on July 21, 2015 as per City Charter requirements.

49. 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 35<sup>th</sup> and Dodge Streets; and to provide for an effective date.  
(See Doc. # 851 – June 30 Meeting)

**CCID # 851** – ORDINANCE ON SECOND READING – Final reading to be held on July 21, 2015 as per City Charter requirements.

50. 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).  
(See Doc. # 854 – June 30 Meeting)

**CCID # 854** – ORDINANCE ON SECOND READING – Final reading to be held on July 21, 2015 as per City Charter requirements.

51. 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](#).  
(See Doc. # 855 – June 30 Meeting)

**CCID # 855** – ORDINANCE ON SECOND READING – Final reading to be held on July 21, 2015 as per City Charter requirements.

52. Ord. to rezone the property located at 2530 “Z” Street from HI-Heavy Industrial District to R5-Urban Family Residential District.  
(See Doc. # 858 – June 30 Meeting)

**CCID # 858** – ORDINANCE ON SECOND READING – Final reading to be held on July 21, 2015 as per City Charter requirements.

53. 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).  
(See Doc. # 859 – June 30 Meeting)

**CCID # 859** – ORDINANCE ON SECOND READING – Final reading to be held on July 21, 2015 as per City Charter requirements.

54. Ord. to rezone the property located at 6705 Gilmore Avenue from GI-General Industrial District to R5-Urban Family Residential District.  
(See Doc. # 860 – June 30 Meeting)

**CCID # 860** – ORDINANCE ON SECOND READING – Final reading to be held on July 21, 2015 as per City Charter requirements.

55. 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](#).  
(See Doc. # 861 – June 30 Meeting)

**CCID # 861** – ORDINANCE ON SECOND READING – Final reading to be held on July 21, 2015 as per City Charter requirements.

56. 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](#).  
(See Doc. # 862 – June 30 Meeting)

**CCID # 862** – ORDINANCE ON SECOND READING – Final reading to be held on July 21, 2015 as per City Charter requirements.

57. Ord. to rezone property located at 12216 Blair High Road from AG-Agricultural District to DR-Development Reserve District.  
(See Doc. # 863 – June 30 Meeting)

**CCID # 863** – ORDINANCE ON SECOND READING – Final reading to be held on July 21, 2015 as per City Charter requirements.

58. 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).  
(See Doc. # 867 – June 30 Meeting)

**CCID # 867** – ORDINANCE ON SECOND READING – Final reading to be held on July 21, 2015 as per City Charter requirements.

59. 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).  
(See Doc. # 868 – June 30 Meeting)

**CCID # 868** – ORDINANCE ON SECOND READING – Final reading to be held on July 21, 2015 as per City Charter requirements.

60. 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](#).  
(See Doc. # 871 – June 30 Meeting)

**CCID # 871** – ORDINANCE ON SECOND READING – Final reading to be held on July 21, 2015 as per City Charter requirements.

61. 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.  
(See Doc. # 873 – June 30 Meeting)

**CCID # 873** – ORDINANCE ON SECOND READING – Final reading to be held on July 21, 2015 as per City Charter requirements.

62. Ord. to rezone property located Northwest of 192nd and Harrison Streets from AG-Agricultural District to DR-Development Reserve District.  
(See Doc. # 874 – June 30 Meeting)

**CCID # 874** – ORDINANCE ON SECOND READING – Final reading to be held on July 21, 2015 as per City Charter requirements.

63. Ord. to rezone property located Northwest of 192nd and Harrison Streets from AG-Agricultural District to MU-Mixed Use District.  
(See Doc. # 875 – June 30 Meeting)

**CCID # 875** – ORDINANCE ON SECOND READING – Final reading to be held on July 21, 2015 as per City Charter requirements.

64. Ord. to approve a Mixed Use Development Agreement for property located Northwest of 192<sup>nd</sup> 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](#).  
(See Doc. # 876 – June 30 Meeting)

**CCID # 876** – ORDINANCE ON SECOND READING – Final reading to be held on July 21, 2015 as per City Charter requirements.

\* \* \* \* \*

### **ORDINANCES ON SECOND READING**

65. 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](#).  
((PUBLIC HEARING TODAY))  
(See Doc. # 879 – July 14 Meeting)

**CCID # 879** – Public hearing was held today – Final reading set for July 28, 2015 as per City Charter requirements.

66. 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](#). ((PUBLIC HEARING TODAY))  
(See Doc. # 880 – July 14 Meeting)

**CCID # 880** – Public hearing was held today – Final reading set for July 28, 2015 as per City Charter requirements.

67. 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](#). ((PUBLIC HEARING TODAY))  
(See Doc. # 881 – July 14 Meeting)

**CCID # 881** – Public hearing was held today – Final reading set for July 28, 2015 as per City Charter requirements.

68. 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](#). ((PUBLIC HEARING TODAY))  
(See Doc. # 882 – July 14 Meeting)

**CCID # 882** – Public hearing was held today – Final reading set for July 28, 2015 as per City Charter requirements.

**“PURSUANT TO CITY COUNCIL RULE VII H  
DUE TO NO MEETING BEING HELD AUGUST 4, 2015  
THE THIRD READING AND PUBLIC HEARINGS  
ON AGENDA ITEM NOS. 69 THROUGH 70  
SHALL BE HELD ON AUGUST 11, 2015”**

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

69. Ord. to approve an Amendment to the Land Use Element of the Master Plan for the City of Omaha, to change the future land designation to include the property within the existing mixed-use area for property located south of 63rd Street and West Center Road; and to provide for the effective date hereof – [see attached](#).

**CCID # 909** – Publication to be made and public hearing and third reading to be held on August 11, 2015 pursuant to City Council Rule VII H.

- (a) Planning Board and Planning Department recommend approval of an Amendment to the Land Use Element of the Omaha Master Plan to change the future land designation to include the property within the existing mixed-use area for property located south of 63<sup>rd</sup> Street and West Center Road – [see attached](#).

**# 909** – Over to 08/11/15

70. Ord. to rezone property located Northwest of 168th Street and West Dodge Road to MU-Mixed Use District (property is also located within an existing ACI-4(PL)-Area of Civic Importance Overlay District).

**CCID # 911** – Publication to be made and public hearing and third reading to be held on August 11, 2015 pursuant to City Council Rule VII H.

- (a) Planning Board and Planning Department recommend approval of a request to rezone property located Northwest of 168<sup>th</sup> Street and West Dodge Road to MU (property is also located within an existing ACI-4(PL) Overlay District) – [see attached](#).

**# 911** – Over to 08/11/15

\* \* \* \* \*

**“PURSUANT TO CITY COUNCIL RULE VII C  
THE PUBLIC HEARINGS  
ON AGENDA ITEM NOS. 71 THROUGH 88  
SHALL BE HELD ON THE SECOND READING”**

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

71. Ord. vacating 21st Street and 22nd Street from Burt Street to Cuming Street and the east/west alley between Burt Street and Cuming Street from 21st Street to 22nd Street, in the City of Omaha and providing the effective date hereof – [see attached.](#)

**CCID # 930** – Publication to be made and public hearing to be held on July 28, 2015 as per City Charter requirements.

- (a) Planning Board and Planning Department recommend approval of the vacation of 21<sup>st</sup> Street and 22<sup>nd</sup> Street from Burt Street to Cuming Street and the east/west alley between Burt Street and Cuming Street from 21<sup>st</sup> Street to 22<sup>nd</sup> Street – Inside City – [see attached.](#)

**# 930** – Over to 07/28/15

72. Ord. extending the limits of the City of Omaha over certain land in Douglas County, Nebraska and incorporating the same into and making the same a part of the City of Omaha and to provide an effective date hereof, located West of 180th Street between “F” Street and “Q” Street – [see attached.](#)

**CCID # 913** – Publication to be made and public hearing to be held on July 28, 2015 as per City Charter requirements.

73. Ord. extending the limits of the City of Omaha over certain land in Douglas County, Nebraska and incorporating the same into and making the same a part of the City of Omaha and to provide an effective date hereof, located Southwest of 144<sup>th</sup> and Blondo Streets, Eldorado (SID 206) – [see attached.](#)

**CCID # 914** – Publication to be made and public hearing to be held on July 28, 2015 as per City Charter requirements.

74. Ord. extending the limits of the City of Omaha over certain land in Douglas County, Nebraska and incorporating the same into and making the same a part of the City of Omaha and to provide an effective date hereof, located Northwest of 150<sup>th</sup> and Harrison Streets, Le Beau (SID 240) – [see attached](#).

**CCID # 915** – Publication to be made and public hearing to be held on July 28, 2015 as per City Charter requirements.

75. Ord. extending the limits of the City of Omaha over certain land in Douglas County, Nebraska and incorporating the same into and making the same a part of the City of Omaha and to provide an effective date hereof, located Southwest of 180<sup>th</sup> and "Q" Streets, Rolling Meadows and adjacent area (SID 286) – [see attached](#).

**CCID # 916** – Publication to be made and public hearing to be held on July 28, 2015 as per City Charter requirements.

76. Ord. extending the limits of the City of Omaha over certain land in Douglas County, Nebraska and incorporating the same into and making the same a part of the City of Omaha and to provide an effective date hereof, located Northwest of 144<sup>th</sup> and Blondo Streets, Nelson's Creek (SID 337) – [see attached](#).

**CCID # 917** – Publication to be made and public hearing to be held on July 28, 2015 as per City Charter requirements.

77. Ord. extending the limits of the City of Omaha over certain land in Douglas County, Nebraska and incorporating the same into and making the same a part of the City of Omaha and to provide an effective date hereof, located Northeast of 156<sup>th</sup> and Blondo Streets, Diamond Head (SID 350) – [see attached](#).

**CCID # 918** – Publication to be made and public hearing to be held on July 28, 2015 as per City Charter requirements.

78. Ord. extending the limits of the City of Omaha over certain land in Douglas County, Nebraska and incorporating the same into and making the same a part of the City of Omaha and to provide an effective date hereof, located West of 156<sup>th</sup> Street between Blondo Street and West Maple Road, Huntington Park and adjacent area (SID 374) – [see attached](#).

**CCID # 919** – Publication to be made and public hearing to be held on July 28, 2015 as per City Charter requirements.

79. Ord. extending the limits of the City of Omaha over certain land in Douglas County, Nebraska and incorporating the same into and making the same a part of the City of Omaha and to provide an effective date hereof, located Northwest of 204<sup>th</sup> Street and Cumberland Drive, Skyline Country and adjacent area (SID 394) – [see attached](#).

**CCID # 921** – Publication to be made and public hearing to be held on July 28, 2015 as per City Charter requirements.

80. Ord. extending the limits of the City of Omaha over certain land in Douglas County, Nebraska and incorporating the same into and making the same a part of the City of Omaha and to provide an effective date hereof, located Northeast of 168<sup>th</sup> and Harrison Streets, Vintage Oaks (SID 399) – [see attached](#).

**CCID # 922** – Publication to be made and public hearing to be held on July 28, 2015 as per City Charter requirements.

81. Ord. extending the limits of the City of Omaha over certain land in Douglas County, Nebraska and incorporating the same into and making the same a part of the City of Omaha and to provide an effective date hereof, located Northeast of 144<sup>th</sup> and Fort Streets, Standing Bear Pointe (SID 401) – [see attached](#).

**CCID # 923** – Publication to be made and public hearing to be held on July 28, 2015 as per City Charter requirements.

82. Ord. extending the limits of the City of Omaha over certain land in Douglas County, Nebraska and incorporating the same into and making the same a part of the City of Omaha and to provide an effective date hereof, located Northwest of 168<sup>th</sup> and Harrison Streets, Mission Pines (SID 412) – [see attached](#).

**CCID # 924** – Publication to be made and public hearing to be held on July 28, 2015 as per City Charter requirements.

83. Ord. extending the limits of the City of Omaha over certain land in Douglas County, Nebraska and incorporating the same into and making the same a part of the City of Omaha and to provide an effective date hereof, located North of Military Road at 92<sup>nd</sup> Avenue, Northwest Village 2<sup>nd</sup> Addition (SID 430) – [see attached](#).

**CCID # 925** – Publication to be made and public hearing to be held on July 28, 2015 as per City Charter requirements.

84. Ord. extending the limits of the City of Omaha over certain land in Douglas County, Nebraska and incorporating the same into and making the same a part of the City of Omaha and to provide an effective date hereof, located Northwest of 144<sup>th</sup> and Sprague Streets, Hillsborough Pointe and adjacent area (SID 432) – [see attached](#).

**CCID # 926** – Publication to be made and public hearing to be held on July 28, 2015 as per City Charter requirements.

85. Ord. extending the limits of the City of Omaha over certain land in Douglas County, Nebraska and incorporating the same into and making the same a part of the City of Omaha and to provide an effective date hereof, located Northwest of 116<sup>th</sup> and Harrison Streets, Brookhaven West (SID 435) – [see attached](#).

**CCID # 927** – Publication to be made and public hearing to be held on July 28, 2015 as per City Charter requirements.

86. Ord. extending the limits of the City of Omaha over certain land in Douglas County, Nebraska and incorporating the same into and making the same a part of the City of Omaha and to provide an effective date hereof, located Northwest of 108<sup>th</sup> and Lake Streets, Whispering Hills (SID 460) – [see attached](#).

**CCID # 928** – Publication to be made and public hearing to be held on July 28, 2015 as per City Charter requirements.

87. Ord. extending the limits of the City of Omaha over certain land in Douglas County, Nebraska and incorporating the same into and making the same a part of the City of Omaha and to provide an effective date hereof, located Southwest of 180<sup>th</sup> and "Q" Streets, 180<sup>th</sup> Plaza and adjacent area (SID 481) – [see attached](#).

**CCID # 929** – Publication to be made and public hearing to be held on July 28, 2015 as per City Charter requirements.

- (a) Planning Board and Planning Department recommend approval of the 2015 Annexation Package – [see attached](#).

**# 929** – Over to 07/28/15

**ORDINANCE ON FIRST READING**

88. Ord. to repeal Ordinance No. 40346 passed on May 12, 2015, and vacating the north/south alley west of 30th Street from Saratoga Street north 903.1 feet to a previously vacated alley and providing the effective date hereof – [see attached](#).

**CCID # 931** – Publication to be made and public hearing to be held on July 28, 2015 as per City Charter requirements.

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**ADDITIONAL RESOLUTION**

89. Res. that, the Learning Suites for Libraries Online Tutoring Program upon the invoice of Tutor.Com, providing a unique and non-competitive service, in the amount not to exceed \$25,000 for the subscription renewal of Learning Suites for Libraries for one year, through May 31, 2016, is hereby approved; and, the Finance Department is authorized to pay the \$25,000 cost thereof from the Library’s General Fund 11111, Organization 117016, Object Code 43416, year 2015 expenditures – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))

Motion by Melton that the Resolution be adopted

Seconded by Festersen

ROLL CALL:

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

**Res. # 907** – ADOPTED 7-0

**EXECUTIVE SESSION**

90. 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 Melton

ROLL CALL:

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

Motion Carried 7-0

**ADJOURNED: 3:57 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 21<sup>st</sup>, 2015.

WITNESS:

\_\_\_\_\_

\_\_\_\_\_

CITY CLERK

THE PROCEEDINGS OF THIS MEETING WERE PRESENTED TO MAYOR JEAN STOTHERT ON THE 23<sup>rd</sup> DAY OF JULY, 2015.