

26th REGULAR OMAHA CITY COUNCIL MEETING

JULY 28, 2015

THE CITY COUNCIL met in Regular Session on Tuesday, July 28, 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 # 936 – Present: Thompson, Gernandt, Jerram, Melton, Pahls, Mr. President

Absent Entire Meeting: Festersen

2. Pledge of Allegiance.
3. Invocation by Councilmember Chris Jerram of District No. 3.

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 24, 2015, notice re: Pre-Council and Regular City Council Meetings, July 28, 2015.

CCID # 937 – From Chair on File

A current copy of the Open Meeting Act is posted in a white binder on the east wall of the Legislative Chambers.

WHENEVER ANY PERSON HAS BEEN INVITED TO SPEAK, OR HAS BEEN GRANTED THE OPPORTUNITY OF SPEAKING BEFORE THE COUNCIL DURING A HEARING, EACH PERSON WILL BE REQUESTED TO BE BRIEF, AND TO LIMIT HIS OR HER PRESENTATION TO TEN MINUTES. WHEN MORE THAN ONE PERSON WISHES TO ADDRESS THE COUNCIL ON A GIVEN QUESTION, THE PROPONENTS WILL BE GIVEN THE OPPORTUNITY OF FIRST ADDRESSING THE COUNCIL. THE OPPONENTS OF THE QUESTION WILL BE GIVEN THE OPPORTUNITY TO SPEAK AFTER THE PROPONENTS' PRESENTATION. THE PROPONENTS WILL BE GIVEN A BRIEF PERIOD FOR REBUTTAL OF ANY NEW MATERIAL INTRODUCED DURING THE OPPONENT'S PRESENTATION, AFTER WHICH THE PUBLIC HEARING WILL BE CONCLUDED. IT IS CITY COUNCIL PROCEDURE THAT EACH SIDE RECEIVE TWENTY MINUTES FOR THEIR PRESENTATION. COUNCILMEMBERS WILL ASK QUESTIONS AT THE CONCLUSION OF THE PUBLIC HEARING.

ZONING ORDINANCES ON FINAL READING and Planning Board Attachments

5. Ord. to 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](#). ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 847 – July 14 and July 21 Meetings)
Notice of public hearing on July 28, 2015 published in the Daily Record on July 17, 2015. Ordinance passed on July 28, 2015 published in the Daily Record on August 5, 2015.

CCID # 847 – Motion by Jerram that the Ordinance be passed
Seconded by Gray

ROLL CALL:

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

Absent: Festersen

ORDINANCE # 40397 – PASSED 6-0

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

847 – From Chair on File

6. 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). ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 848 – July 14 and July 21 Meetings)
Notice of public hearing on July 28, 2015 published in the Daily Record on July 17, 2015. Ordinance passed on July 28, 2015 published in the Daily Record on August 5, 2015.

Tom McLeay, representing the applicant, 8712 West Dodge Road, appeared and spoke.

CCID # 848 – Motion by Jerram that the Ordinance be passed
Seconded by Gray

ROLL CALL:

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

Absent: Festersen

ORDINANCE # 40398 – PASSED 6-0

7. 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](#). ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 849 – July 14 and July 21 Meetings)
Notice of public hearing on July 28, 2015 published in the Daily Record on July 17, 2015. Ordinance passed on July 28, 2015 published in the Daily Record on August 5, 2015.

Tom McLeay, representing the applicant, 8712 West Dodge Road, appeared and spoke.

CCID # 849 – Motion by Jerram that the Ordinance be passed

Seconded by Gray

ROLL CALL:

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

Absent: Festersen

ORDINANCE # 40399 – PASSED 6-0

- (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](#).
(See Doc. # 849 – July 14 Meeting)

849 – From Chair on File

8. 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). ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 850 – July 14 and July 21 Meetings)
Notice of public hearing on July 28, 2015 published in the Daily Record on July 17, 2015. Ordinance passed on July 28, 2015 published in the Daily Record on August 5, 2015.

CCID # 850 – Motion by Jerram that the Ordinance be passed

Seconded by Gray

ROLL CALL:

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

Absent: Festersen

ORDINANCE # 40400 – PASSED 6-0

- (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](#).
(See Doc. # 850 – July 14 Meeting)

850 – From Chair on File

9. 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](#). ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 851 – July 14 and July 21 Meetings)
Notice of public hearing on July 28, 2015 published in the Daily Record on July 17, 2015. Ordinance passed on July 28, 2015 published in the Daily Record on August 5, 2015.

CCID # 851 – Motion by Jerram that the Ordinance be passed

Seconded by Gernandt

ROLL CALL:

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

Absent: Festersen

ORDINANCE # 40401 – PASSED 6-0

- (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](#).
(See Doc. # 851 – July 14 Meeting)

851 – From Chair on File

10. 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 – over from 7/14/15 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 852 – July 14 Meeting)

Motion by Jerram that the Resolution be adopted

Seconded by Gernandt

ROLL CALL:

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

Absent: Festersen

Res. # 852 – ADOPTED 6-0

- (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 – over from 7/14/15 – [see attached](#).
(See Doc. # 852 – July 14 Meeting)

852 – From Chair on File

- 11. 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 – over from 7/14/15 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 853 – July 14 Meeting)

Motion by Jerram that the Resolution be adopted

Seconded by Gernandt

ROLL CALL:

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

Absent: Festersen

Res. # 853 – ADOPTED 6-0

- (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 – over from 7/14/15 – [see attached](#).
(See Doc. # 853 – July 14 Meeting)

853 – From Chair on File

- 12. 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). ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 854 – July 14 and July 21 Meetings)

Notice of public hearing on July 28, 2015 published in the Daily Record on July 17, 2015. Ordinance passed on July 28, 2015 published in the Daily Record on August 5, 2015.

Larry Jobeun, Attorney representing DSL Hospitality, 11440 West Center Road, appeared and spoke.

CCID # 854 – Motion by Jerram that the Ordinance be passed

Seconded by Gray

ROLL CALL:

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

Absent: Festersen

ORDINANCE # 40402 – PASSED 6-0

- (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](#).
(See Doc. # 854 – July 14 Meeting)

854 – From Chair on File

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

(See Doc. # 855 – July 14 and July 21 Meetings)

Notice of public hearing on July 28, 2015 published in the Daily Record on July 17, 2015. Ordinance passed on July 28, 2015 published in the Daily Record on August 5, 2015.

Larry Jobeun, Attorney representing DSL Hospitality, 11440 West Center Road, appeared and spoke.

CCID # 855 – Motion by Jerram that the Ordinance be passed

Seconded by Gray

ROLL CALL:

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

Absent: Festersen

ORDINANCE # 40403 – PASSED 6-0

- (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](#).
(See Doc. # 855 – July 14 Meeting)

855 – From Chair on File

14. 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 – over from 7/14/15 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 856 – July 14 Meeting)

Larry Jobeun, Attorney representing DSL Hospitality, 11440 West Center Road, appeared and spoke.

Motion by Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

Absent: Festersen

Res. # 856 – ADOPTED 6-0

- (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 – over from 7/14/15 – [see attached](#).
(See Doc. # 856 – July 14 Meeting)

856 – From Chair on File

15. 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 – over from 7/14/15 – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 857 – July 14 Meeting)

Larry Jobeun, Attorney representing DSL Hospitality, 11440 West Center Road, appeared and spoke.

Motion by Jerram that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

Absent: Festersen

Res. # 857 – ADOPTED 6-0

16. Ord. to rezone the property located at 2530 “Z” Street from HI-Heavy Industrial District to R5-Urban Family Residential District. ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 858 – July 14 and July 21 Meetings)
Notice of public hearing on July 28, 2015 published in the Daily Record on July 17, 2015. Ordinance passed on July 28, 2015 published in the Daily Record on August 5, 2015.

CCID # 858 – Motion by Gernandt that the Ordinance be passed
Seconded by Melton

ROLL CALL:

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

Absent: Festersen

ORDINANCE # 40404 – PASSED 6-0

- (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](#).
(See Doc. # 858 – July 14 Meeting)

858 – From Chair on File

17. 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). ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 859 – July 14 and July 21 Meetings)
Notice of public hearing on July 28, 2015 published in the Daily Record on July 17, 2015. Ordinance passed on July 28, 2015 published in the Daily Record on August 5, 2015.

Katherine Thomas, 5106 Lockwood Lane, appeared and spoke.

CCID # 859 – Motion by Jerram that the Ordinance be passed
Seconded by Gernandt

ROLL CALL:

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

Absent: Festersen

ORDINANCE # 40405 – PASSED 6-0

- (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](#).
(See Doc. # 859 – July 14 Meeting)

859 – From Chair on File

- 18. Ord. to rezone the property located at 6705 Gilmore Avenue from GI-General Industrial District to R5-Urban Family Residential District. ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 860 – July 14 and July 21 Meetings)
Notice of public hearing on July 28, 2015 published in the Daily Record on July 17, 2015. Ordinance passed on July 28, 2015 published in the Daily Record on August 5, 2015.

CCID # 860 – Motion by Gernandt that the Ordinance be passed

Seconded by Melton

ROLL CALL:

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

Absent: Festersen

ORDINANCE # 40406 – PASSED 6-0

- (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](#).
(See Doc. # 860 – July 14 Meeting)

860 – From Chair on File

- 19. 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](#). ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 861 – July 14 and July 21 Meetings)
Notice of public hearing on July 28, 2015 published in the Daily Record on July 17, 2015. Ordinance passed on July 28, 2015 published in the Daily Record on August 5, 2015.

CCID # 861 – Motion by Melton that the Ordinance be passed

Seconded by Gray

ROLL CALL:

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

Absent: Festersen

ORDINANCE # 40407 – PASSED 6-0

20. 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](#). ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 862 – July 14 and July 21 Meetings)
Notice of public hearing on July 28, 2015 published in the Daily Record on July 17, 2015. Ordinance passed on July 28, 2015 published in the Daily Record on August 5, 2015.

CCID # 862 – Motion by Melton that the Ordinance be passed

Seconded by Gray

ROLL CALL:

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

Absent: Festersen

ORDINANCE # 40408 – PASSED 6-0

- (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](#).
(See Doc. # 862 – July 14 Meeting)

862 – From Chair on File

21. Ord. to rezone property located at 12216 Blair High Road from AG-Agricultural District to DR-Development Reserve District. ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 863 – July 14 and July 21 Meetings)
Notice of public hearing on July 28, 2015 published in the Daily Record on July 17, 2015. Ordinance passed on July 28, 2015 published in the Daily Record on August 5, 2015.

CCID # 863 – Motion by Melton that the Ordinance be passed

Seconded by Gray

ROLL CALL:

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

Absent: Festersen

ORDINANCE # 40409 – PASSED 6-0

- (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](#).
(See Doc. # 863 – July 14 Meeting)

863 – From Chair on File

22. 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 – over from 7/14/15 – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 864 – July 14 Meeting)

Motion by Melton that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

Absent: Festersen

Res. # 864 – ADOPTED 6-0

- (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 – over from 7/14/15 – [see attached](#).
(See Doc. # 864 – July 14 Meeting)

864 – From Chair on File

23. Res. that the plat entitled S PAKIESER ACRES, located at 12216 Blair High Road, is hereby approved and accepted – Outside City – over from 7/14/15 – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 865 – July 14 Meeting)

Motion by Melton that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

Absent: Festersen

Res. # 865 – ADOPTED 6-0

- (a) Planning Board and Planning Department recommend approval of the Final Plat of S PAKIESER ACRES, located at 12216 Blair High Road – Outside City – over from 7/14/15 – [see attached](#).
(See Doc. # 865 – July 14 Meeting)

865 – From Chair on File

24. 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 – over from 7/14/15 – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 866 – July 14 Meeting)

Motion by Melton that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

Absent: Festersen

Res. # 866 – ADOPTED 6-0

25. 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). ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 867 – July 14 and July 21 Meetings)

Notice of public hearing on July 28, 2015 published in the Daily Record on July 17, 2015. Ordinance passed on July 28, 2015 published in the Daily Record on August 5, 2015.

CCID # 867 – Motion by Thompson that the Ordinance be passed

Seconded by Melton

ROLL CALL:

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

Absent: Festersen

ORDINANCE # 40410 – PASSED 6-0

- (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](#).
(See Doc. # 867 – July 14 Meeting)

867 – From Chair on File

26. 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). ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 868 – July 14 and July 21 Meetings)
Notice of public hearing on July 28, 2015 published in the Daily Record on July 17, 2015. Ordinance passed on July 28, 2015 published in the Daily Record on August 5, 2015.

John Coolidge, representing the applicant, 14710 West Dodge Road, appeared and spoke.

CCID # 868 – Motion by Thompson that the Ordinance be passed
Seconded by Melton

ROLL CALL:

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

Absent: Festersen

ORDINANCE # 40411 – PASSED 6-0

- (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](#).
(See Doc. # 868 – July 14 Meeting)

868 – From Chair on File

27. 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 – over from 7/14/15 – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 869 – July 14 Meeting)

John Coolidge, representing the applicant, 14710 West Dodge Road, appeared and spoke.

Motion by Thompson that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

Absent: Festersen

Res. # 869 – ADOPTED 6-0

- (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 – over from 7/14/15 – [see attached](#).
(See Doc. # 869 – July 14 Meeting)

869 – From Chair on File

28. 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 – over from 7/14/15 – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 870 – July 14 Meeting)

John Coolidge, representing the applicant, 14710 West Dodge Road, appeared and spoke.

Motion by Thompson that the Resolution be adopted

Seconded by Melton

ROLL CALL:

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

Absent: Festersen

Res. # 870 – ADOPTED 6-0

29. 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](#). ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 871 – July 14 and July 21 Meetings)
Notice of public hearing on July 28, 2015 published in the Daily Record on July 17, 2015.

CCID # 871 – Motion by Gernandt to allow the applicant to withdraw the Ordinance

Seconded by Thompson

ROLL CALL:

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

Absent: Festersen

Motion Carried 6-0

- (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](#).
(See Doc. # 871 – July 14 Meeting)

871 – From Chair on File

- (b) Communication from Kyle White, representing Atchley Investments, LLC, requesting to withdraw the ordinance and resolution regarding their application for a Special Use Permit to allow Automotive Sales at 14404 Stony Brook Blvd – [see attached](#).

871 – From Chair on File

- 30. 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 – over from 7/14/15 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 872 – July 14 Meeting)

CCID # 872 – Motion by Gernandt to allow the Resolution to be withdrawn
Seconded by Thompson
ROLL CALL:
Yeas: Thompson, Gernandt, Jerram, Melton, Pahls, Mr. President
Absent: Festersen
Motion Carried 6-0

- (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 – over from 7/14/15 – [see attached](#).
(See Doc. # 872 – July 14 Meeting)

872 – From Chair on File

- 31. 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. ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 873 – July 14 and July 21 Meetings)
Notice of public hearing on July 28, 2015 published in the Daily Record on July 17, 2015. Ordinance passed on July 28, 2015 published in the Daily Record on August 5, 2015.

THE FOLLOWING PERSONS APPEARED AND SPOKE:

Proponent: Douglas Dreessen, representing the applicant, 10836 Old Mill Road
Protestant: Tony Duckworth, 15920 Bedford Avenue

CCID # 873 – Motion by Melton that the Ordinance be passed
Seconded by Thompson

ROLL CALL:

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

Absent: Festersen

ORDINANCE # 40412 – PASSED 6-0

- (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](#).
(See Doc. # 873 – July 14 Meeting)

873 – From Chair on File

- (b) Communications opposing the request to rezone the property located at 3505 North 160th Street from DR and R6 to DR – [see attached](#).

873 – From Chair on File

- 32. Ord. to rezone property located Northwest of 192nd and Harrison Streets from AG-Agricultural District to DR-Development Reserve District. ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 874 – July 14 and July 21 Meetings)

Notice of public hearing on July 28, 2015 published in the Daily Record on July 17, 2015. Ordinance passed on July 28, 2015 published in the Daily Record on August 5, 2015.

Jason Thiellen, E & A Consulting Group, 10909 Mill Valley Road, appeared and spoke.

CCID # 874 – Motion by Melton that the Ordinance be passed
Seconded by Gray

ROLL CALL:

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

Absent: Festersen

ORDINANCE # 40413 – PASSED 6-0

33. Ord. to rezone property located Northwest of 192nd and Harrison Streets from AG-Agricultural District to MU-Mixed Use District. ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 875 – July 14 and July 21 Meetings)
Notice of public hearing on July 28, 2015 published in the Daily Record on July 17, 2015. Ordinance passed on July 28, 2015 published in the Daily Record on August 5, 2015.

Jason Thiellen, E & A Consulting Group, 10909 Mill Valley Road, appeared and spoke.

CCID # 875 – Motion by Melton that the Ordinance be passed
Seconded by Gray

ROLL CALL:

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

Absent: Festersen

ORDINANCE # 40414 – PASSED 6-0

- (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](#).
(See Doc. # 875 – July 14 Meeting)

875 – From Chair on File

34. 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](#). ((PUBLIC HEARING TODAY – CAN BE PASSED TODAY))
(See Doc. # 876 – July 14 and July 21 Meetings)
Notice of public hearing on July 28, 2015 published in the Daily Record on July 17, 2015. Ordinance passed on July 28, 2015 published in the Daily Record on August 5, 2015.

Jason Thiellen, E & A Consulting Group, 10909 Mill Valley Road, appeared and spoke.

CCID # 876 – Motion by Melton that the Ordinance be passed
Seconded by Gray

ROLL CALL:

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

Absent: Festersen

ORDINANCE # 40415 – PASSED 6-0

35. Res. that the plat entitled FALLING WATERS COMMERCIAL, located Northwest of 192nd and Harrison Streets, is hereby approved and accepted – Outside City – over from 7/14/15 – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 877 – July 14 Meeting)

Jason Thiellen, E & A Consulting Group, 10909 Mill Valley Road, appeared and spoke.

Motion by Melton that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

Absent: Festersen

Res. # 877 – ADOPTED 6-0

- (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 – over from 7/14/15 – [see attached](#).
(See Doc. # 877 – July 14 Meeting)

877 – From Chair on File

36. 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 – over from 7/14/15 – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 878 – July 14 Meeting)

Jason Thiellen, E & A Consulting Group, 10909 Mill Valley Road, appeared and spoke.

Motion by Melton that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

Absent: Festersen

Res. # 878 – ADOPTED 6-0

RESOLUTIONS RE: PRELIMINARY PLATS, PLATS, SUBDIVISION AGREEMENT AND SPECIAL USE PERMIT – DEVELOPMENT IN THE NORTH HILLS ENVIRONMENTAL OVERLAY DISTRICT

37. 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 – over from 7/14/15 – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 827 – July 14 Meeting)

Jason Thiellen, E & A Consulting Group, 10909 Mill Valley Road, appeared and spoke.

Motion by Melton that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

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

Absent: Festersen

Res. # 827 – ADOPTED 6-0

- (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 – over from 7/14/15 – [see attached](#).
(See Doc. # 827 – July 14 Meeting)

827 – From Chair on File

38. Res. that the plat entitled NORTHERN HILLS ESTATES THREE, located east of 69th and Plum Streets, is hereby approved and accepted – Outside City – over from 7/14/15 – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 828 – July 14 Meeting)

Jason Thiellen, E & A Consulting Group, 10909 Mill Valley Road, appeared and spoke.

Motion by Melton that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

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

Absent: Festersen

Res. # 828 – ADOPTED 6-0

- (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 – over from 7/14/15 – [see attached](#).
(See Doc. # 828 – July 14 Meeting)

828 – From Chair on File

39. 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 – over from 7/14/15 – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 829 – July 14 Meeting)

Jason Thiellen, E & A Consulting Group, 10909 Mill Valley Road, appeared and spoke.

Motion by Melton that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

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

Absent: Festersen

Res. # 829 – ADOPTED 6-0

40. 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 – over from 7/14/15 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 830 – July 14 Meeting)

Jason Thiellen, E & A Consulting Group, 10909 Mill Valley Road, appeared and spoke.

Motion by Melton that the Resolution be adopted

Seconded by Jerram

ROLL CALL:

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

Absent: Festersen

Res. # 830 – ADOPTED 6-0

- (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 – over from 7/14/15 – [see attached](#).
(See Doc. # 830 – July 14 Meeting)

830 – From Chair on File

**“PURSUANT TO CITY COUNCIL RULE VII H
DUE TO NO MEETING BEING HELD AUGUST 4, 2015
AGENDA ITEM NOS. 41 THROUGH 42
SHALL BE LAID OVER THREE WEEKS TO AUGUST 18, 2015
FOR PUBLICATION AND PUBLIC HEARING”**

- 41. Res. that the preliminary plat entitled KOHLL’S PLACE, located Southeast of Leavenworth Street and Park Avenue, 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 18, 2015 published in the Daily Record on July 31, 2015.

CCID # 958 – Over three weeks to August 18, 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 KOHLL’S PLACE, located Southeast of Leavenworth Street and Park Avenue – Inside City – [see attached](#).

958 – Over to 08/18/15

- 42. Res. that the replat transmitted herewith entitled KOHLL’S PLACE, located Southeast of Leavenworth Street and Park Avenue, is hereby approved, and concurrently a portion of the existing plat entitled Terrace Addition, and described on said replat, is hereby vacated – Inside City – [see attached](#).
Notice of public hearing on August 18, 2015 published in the Daily Record on July 31, 2015.

CCID # 959 – Over three weeks to August 18, 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 KOHLL'S PLACE, located Southeast of Leavenworth Street and Park Avenue – Inside City – [see attached](#).

959 – Over to 08/18/15

* * * * *

SPECIAL USE PERMIT – AUTOMOTIVE SALES

- 43. 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 – over from 7/14/15 for publication and public hearing – had publication – [see attached](#). ((PUBLIC HEARING TODAY – CAN BE ADOPTED TODAY))
(See Doc. # 831 – July 14 Meeting)

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

Motion by Gernandt that the Resolution be adopted

Seconded by Gray

ROLL CALL:

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

Absent: Festersen

Pass: Jerram

CITY CLERK CALLS THE ROLL AGAIN:

ROLL CALL:

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

Absent: Festersen

Pass: Jerram

Councilmember Jerram passed due to potential conflict of interest

Res. # 831 – ADOPTED 5-0-1 Pass

- (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 – over from 7/14/15 – [see attached](#).
(See Doc. # 831 – July 14 Meeting)

831 – From Chair on File

LIQUOR

44. CLASS “C” – Make Your Own Luck Nebraska, LLC, dba “Jefferson’s Restaurant”, 17520 Wright Street, Suite 101. New application, Old location. ADDING CATERING. Property posted: 07-15-15. Present licensee is Fort Enterprises, LLC, dba “The Bottomless Glass Bar & Grill”, 17520 Wright Street, Suite 101, 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))

Patricia Duncan, President, Make Your Own Luck Nebraska, LLC, dba “Jefferson’s Restaurant”, 17520 Wright Street, Suite 101, appeared and spoke.

Application read

Motion by Jerram that the Resolution to GRANT be ADOPTED AS AMENDED

Seconded by Gray

ROLL CALL:

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

Absent: Festersen

Res. # 938 – ADOPTED AS AMENDED 6-0

- (a) Communication from Nebraska Liquor Control Commission on behalf of Patty Duncan, President of Make Your Own Luck Nebraska, LLC, dba “Jefferson’s Restaurant”, 17520 Wright Street, Suite 101, requesting to amend their application from a LLC (Limited Liability Company) to a corporation and to change the amount of shares issued to officers – [see attached](#).

938 – Motion by Jerram that the Amendment be approved

Seconded by Thompson

ROLL CALL:

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

Absent: Festersen

Motion Carried 6-0

45. CATERING – Make Your Own Luck Nebraska, LLC, dba “Jefferson’s Restaurant”, 17520 Wright Street, Suite 101. New application, New location. Property posted: 07-15-15; No notification sent – [see attached](#). ((YOU HAVE YOUR HEARING ON THE APPLICATION BUT YOUR MOTION SHOULD BE TO ADOPT A RESOLUTION EITHER TO GRANT OR DENY))

Patricia Duncan, President, Make Your Own Luck Nebraska, LLC, dba “Jefferson’s Restaurant”, 17520 Wright Street, Suite 101, appeared and spoke.

CCID # 939 – Motion by Gernandt to allow the applicant to withdraw the application

Seconded by Melton

ROLL CALL:

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

Absent: Festersen

Motion Carried 6-0

- (a) Communication from Patty Duncan, President of Make Your Own Luck Nebraska, LLC, dba “Jefferson’s Restaurant”, 17520 Wright Street, Suite 101, requesting to withdraw their application for a Catering Liquor License – [see attached](#).

939 – From Chair on File

46. CLASS “C” – Violet@Health & Beauty, LLC, dba “Old Vine Wine”, 3821 North 167th Court, Suite 145. New application, New location. Property posted: 07-15-15; Notification sent: 07-17-15 – [see attached](#). ((YOU HAVE YOUR HEARING ON THE APPLICATION BUT YOUR MOTION SHOULD BE TO ADOPT A RESOLUTION EITHER TO GRANT OR DENY))

Violet Garcia, 4708 Franklin Street, appeared and spoke.

Motion by Melton that the Resolution to GRANT be adopted

Seconded by Pahls

ROLL CALL:

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

Absent: Festersen

Res. # 940 – ADOPTED 6-0

47. ON SALE BEER – Smoking Jay’s, LLC, dba “Smoking Jay’s”, 2524 South 13th Street. New application, New location. Property posted: 07-01-15; Notification sent: 07-17-15 – [see attached](#). ((YOU HAVE YOUR HEARING ON THE APPLICATION BUT YOUR MOTION SHOULD BE TO ADOPT A RESOLUTION EITHER TO GRANT OR DENY))

THE FOLLOWING PERSONS APPEARED AND SPOKE:

Proponents: Jeremy Jorgenson, Attorney for the applicant, 209 South 19th Street, Suite 155
Jackie Griffin, 4735 North 64th Street

Motion by Gernandt that the Resolution to GRANT be adopted

Seconded by Gray

ROLL CALL:

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

Absent: Festersen

Res. # 941 – ADOPTED 6-0

48. Bernie's Pizza, Inc., dba "Bernie's Pizza", 5092 South 136th Street, requests permission for an addition to their present On Sale Beer license of an outdoor area approx. 40' x 30' to the west. Property posted: 07-15-15; Notification sent: 07-17-15 – [see attached](#). ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))

Greg Abboud, Attorney for the applicant, 6530 South 84th Street, appeared and spoke.

CCID # 942 – Application read

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

Seconded by Gernandt

ROLL CALL:

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

Absent: Festersen

Motion Carried 6-0

Motion by Jerram that the request be approved

Seconded by Thompson

ROLL CALL:

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

Absent: Festersen

Motion Carried 6-0

Motion by Thompson that the City Council Liquor Rules be re-instated

Seconded by Jerram

ROLL CALL:

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

Absent: Festersen

Motion Carried 6-0

49. Millard Roadhouse, Inc., 13325 Millard Avenue, requests permission to appoint Bruce D. Thayer manager of their present Class "I" Liquor License location – [see attached](#). ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))

Bruce Thayer, 12514 Main Street, Springfield, NE, appeared and spoke.

CCID # 943 – Motion by Pahls that the request be approved

Seconded by Gray

ROLL CALL:

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

Absent: Festersen

Motion Carried 6-0

50. Wadsworth Old Chicago, Inc., dba “Old Chicago”, 2643 South 144th Street, requests permission to appoint Genevieve N. Smith manager of their present Class “I” Liquor License location – [see attached](#). ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))

Genevieve Smith, 2643 South 144th Street, appeared and spoke.

CCID # 944 – Motion by Thompson that the request be approved

Seconded by Melton

ROLL CALL:

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

Absent: Festersen

Motion Carried 6-0

51. ACR Corporation, dba “Jake’s Cigars”, 6206 Maple Street, requests permission for a Special Designated License for a Concert/Beer garden at Military Avenue between 62nd & Maple Street & Binney Street on September 4, 2015 from 4:00 p.m. to 2:00 a.m. with music until 12:00 midnight – [see attached](#). ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))

Matt Biggins, Jake’s Cigars, 6206 Maple Street, appeared and spoke.

CCID # 945 – Motion by Melton that the request be approved

Seconded by Gray

ROLL CALL:

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

Absent: Festersen

Motion Carried 6-0

52. Old Market Ventures, LLC, dba “Rock Bottom Gold Medal Tap”, 1101 Harney Street, requests permission for an Amendment to the Special Designated License approved by the Omaha City Clerk on June 5, 2015 for Fashion Week at The Yard, 1402 Mike Fahey Street on August 17-22, 2015 from 6:00 p.m. to 11:00 p.m., requesting to amend the ending time from 11:00 p.m. to 1:00 a.m. and to include music until 1:00 a.m. on August 22, 2015 only – [see attached](#). ((PUBLIC HEARING TODAY – MOTION NEEDED TO APPROVE OR NOT TO APPROVE))

THE FOLLOWING PERSONS APPEARED AND SPOKE:

Proponents: Nick Hudson, Fashion Week, 107 South 55th Street
Dan Kavan, Old Market Ventures, LLC, 1101 Harney Street

CCID # 883 – Motion by Jerram that the request be approved

Seconded by Thompson

ROLL CALL:

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

Nay: Gernandt

Absent: Festersen

Motion Carried 5-1

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. 53 through 56 were held on July 21, 2015.)

CONSENT AGENDA – ORDINANCES

53. 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](#).

(See Doc. # 879 – July 14 and July 21 Meetings)

Notice of public hearing on July 21, 2015 published in the Daily Record on July 17, 2015. Ordinance passed on July 28, 2015 published in the Daily Record on August 5, 2015.

CCID # 879 – Motion by Jerram that the Ordinance be passed

Seconded by Gray

ROLL CALL:

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

Absent: Festersen

ORDINANCE # 40416 – PASSED 6-0

54. 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](#).

(See Doc. # 880 – July 14 and July 21 Meetings)

Notice of public hearing on July 21, 2015 published in the Daily Record on July 17, 2015. Ordinance passed on July 28, 2015 published in the Daily Record on August 5, 2015.

CCID # 880 – Motion by Jerram that the Ordinance be passed

Seconded by Gray

ROLL CALL:

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

Absent: Festersen

ORDINANCE # 40417 – PASSED 6-0

AGENDA ITEM NO. 55 REMOVED FROM THE CONSENT AGENDA AT THE REQUEST OF COUNCILMEMBER MELTON

55. 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](#).

(See Doc. # 881 – July 14 and July 21 Meetings)

Notice of public hearing on July 21, 2015 published in the Daily Record on July 17, 2015. Ordinance passed on July 28, 2015 published in the Daily Record on August 5, 2015.

Paul Kratz, City Attorney, appeared and spoke.

CCID # 881 – Motion by Jerram that the Ordinance be passed

Seconded by Gray

ROLL CALL:

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

Absent: Festersen

ORDINANCE # 40419 – PASSED 6-0

56. 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](#).
(See Doc. # 882 – July 14 and July 21 Meetings)
Notice of public hearing on July 21, 2015 published in the Daily Record on July 17, 2015. Ordinance passed on July 28, 2015 published in the Daily Record on August 5, 2015.

CCID # 882 – Motion by Jerram that the Ordinance be passed

Seconded by Gray

ROLL CALL:

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

Absent: Festersen

ORDINANCE # 40418 – PASSED 6-0

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

* * * * *

(The public hearings on Agenda Item Nos. 57 through 64 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

57. Res. that, as recommended by the Mayor, Change Order Numbers 13 and 17 for Hawkins Construction Company for additional facility upgrades for OPW 51875, to be performed at the Missouri River Wastewater Treatment Plant, is hereby approved; and that, the Finance Department is authorized to pay an additional sum of \$306,740.40, for the changes to the contract, from the Sewer Revenue Improvement Fund 21124, CSO Control Implementation Organization 116918, year 2015 expenditure; Sewer Revenue Bonds will be issued to finance this project – [see attached](#).

Motion by Jerram that the Resolution be adopted
Seconded by Gernandt

ROLL CALL:

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

Absent: Festersen

Res. # 946 – ADOPTED 6-0

58. Res. that, the Overpass Agreement between the City of Omaha and BNSF Railway Company associated with the 42nd and “Q” Street Bridge Replacement and Intersection Improvement Project, identified as City Project No. OPW 50079, Federal Aid Project No. MAPA-5057(9), State Control No. 22279, 2015-2020 Capital Improvements Program Project No. 106 is hereby approved; and the City of Omaha agrees to pay BNSF Railway Company \$48,390.00 for the permanent easement rights, \$3,340.00 for the temporary easement rights and \$2,000.00 for an administrative fee. This amount will be paid from the 2010 Transportation Bond Fund 13183, 2015 Issue of 2010 Transportation Bond Organization 117117; and that the City Council hereby authorizes the Mayor of the City of Omaha and the City Clerk to execute and attest the Overpass Agreement and any other documents necessary to affect this transfer on behalf of the City of Omaha – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Gernandt

ROLL CALL:

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

Absent: Festersen

Res. # 947 – ADOPTED 6-0

59. Res. that, as recommended by the Mayor, the Supplemental Agreement No. 4 between the City of Omaha and Felsburg, Holt & Ullevig (FHU) for additional engineering services on the reconstruction of the bridge and the intersection at 42nd Street and “Q” Street, known as Federal Aid Project MAPA-5057(9), State Control No. 22279, 2015-2020 Capital Improvements Program Project No. 106 and OPW 50079, with a cost to the City of \$1,160.00 to be paid from the 2010 Transportation Bond Fund 13183, Organization 117117, is hereby approved; and that the City Council hereby authorizes the Mayor and City Clerk to sign the attached Agreement on behalf of the City of Omaha – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Gernandt

ROLL CALL:

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

Absent: Festersen

Res. # 948 – ADOPTED 6-0

60. Res. the Mayor of the City of Omaha is authorized to sign and to execute the attached contract agreement between Host Entity and Neighborhoods, USA in Omaha, Nebraska, and the Group Sales Event Agreement with Hilton Omaha to facilitate the hosting of the 2017 Neighborhoods, USA National Conference – [see attached](#).

THE FOLLOWING PERSONS APPEARED AND SPOKE:

Proponents: Karen Bluvas, 824 Worthington Avenue
Janet Bonet, 4502 South 14th Street

For the City: Norita Matt, Planning Department

Motion by Jerram that the Resolution be adopted

Seconded by Gernandt

ROLL CALL:

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

Absent: Festersen

Res. # 949 – ADOPTED 6-0

61. Res. that, as recommended by the Mayor, the Professional Services Agreement between the City of Omaha and Gonzalez Companies, LLC, in the total amount of \$26,625.00, to provide professional engineering services to develop a solution to the bank failure of the West Papio Creek in Barrington Park, located west of the intersection of North 164th and Page Streets and to coordinate with the Army Corps of Engineers for any permits required, is hereby approved; and that the Purchasing Agent is authorized to issue a purchase order in conformance herewith. Funds for these services shall be paid from the 2010 Parks & Recreation Bond Fund No. 13355 and Organization No. 117317, Parks & Cultures Bond – [see attached](#).

Motion by Jerram that the Resolution be adopted

Seconded by Gernandt

ROLL CALL:

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

Absent: Festersen

Res. # 950 – ADOPTED 6-0

62. Res. that, as recommended by the Mayor, the attached bid of Danko Emergency Equipment in the amount of seven hundred seventy-thousand one-hundred and seventy five dollars (\$770,175.00) for the purchase of one (1) Fire Apparatus – 100ft 1500 GPM Waterway Aerial Ladder Fire Apparatus is hereby approved; and, the Finance Department is authorized to pay the cost of such purchase from City Capital Improvement Fund 13112, Organization 132023, Project 0259, Account 47033 – [see attached](#).

Motion by Jerram that the Resolution be adopted
Seconded by Gernandt

ROLL CALL:

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

Absent: Festersen

Res. # 951 – ADOPTED 6-0

63. Res. that, as recommended by the Mayor, the agreement between the City of Omaha and Aaron J. Price in the amount of six thousand five hundred dollars (\$6,500) to provide for the design, supplies, and completion of a mural at the Spring Lake Park and Pool building by March 31, 2016, incorporated herein by this reference, and funding of such project in the total amount of \$6,500, is hereby approved. Further that, the Finance Director is authorized to provide payment of six thousand five hundred dollars (\$6,500) from the City of Omaha FY 2014 Edward Byrne Memorial Justice Assistance Grant Program, award #2014-DJ-BX-0891, Fund #12148, Organization #130734; and in accordance with the contract terms – [see attached](#).

Motion by Jerram that the Resolution be adopted
Seconded by Gernandt

ROLL CALL:

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

Absent: Festersen

Res. # 970 – ADOPTED 6-0

64. Res. that the Mayor's appointment of Kristine A. Karnes as a City-resident member of the Planning Board to serve a term commencing on December 7, 2015, and expiring December 6, 2020, be and hereby is confirmed and approved – [see attached](#).

Motion by Jerram that the Resolution be adopted
Seconded by Gernandt

ROLL CALL:

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

Absent: Festersen

Res. # 952 – ADOPTED 6-0

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

* * * * *

RESOLUTIONS

**“PURSUANT TO CITY COUNCIL RULE VII F
AGENDA ITEM NOS. 65 THROUGH 66
SHALL BE LAID OVER THREE WEEKS
FOR PUBLICATION AND PUBLIC HEARING”**

65. Res. that, the attached Rail and Commerce Bldg Tax Increment Financing (TIF) Redevelopment Project Plan for a redevelopment site located at 950 South 10th Street which proposes the adaptive reuse and conversion of the former Postal Annex Building into a mix of modern-day commercial office and retail uses, the addition of a new parking structure for the building tenants and public improvements, recommending the City’s participation through the allocation of TIF in an amount up to \$2,454,471.00 to offset TIF eligible expenses such as acquisition, rehabilitation costs, architectural and engineering fees, site work and demolition costs, and all public improvements as required, but is subject to change as final costs come in, containing a provision for the division of ad valorem taxes under Section 18-2147 through 18-2150, Revised Statutes of Nebraska, as recommended by the City Planning Department, be and hereby is approved – [see attached](#).
Notice of public hearing on August 18, 2015 published in the Daily Record and World Herald on July 30, 2015 and August 6, 2015.

CCID # 953 – Over three weeks to August 18, 2015 for publication and public hearing pursuant to City Council Rule VII F.

66. Res. that, the attached The Sterling Apts Tax Increment Financing (TIF) Redevelopment Project Plan for a site located at 541 South 24th Street which proposes the complete rehabilitation of the Sterling Apartments structure, recommending the City’s participation through the allocation of TIF in an amount up to \$477,000.00 to offset TIF eligible expenses such as acquisition, rehabilitation costs, architectural and engineering fees, and all public improvements required, but is subject to change as final costs come in, containing a provision for the division of ad valorem taxes under Section 18-2147 through 18-2150, Revised Statutes of Nebraska, as recommended by the City Planning Department, be and hereby is approved – [see attached](#).
Notice of public hearing on August 18, 2015 published in the Daily Record and World Herald on July 30, 2015 and August 6, 2015.

CCID # 954 – Over three weeks to August 18, 2015 for publication and public hearing pursuant to City Council Rule VII F.

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**“PURSUANT TO CITY COUNCIL RULE VII H
AGENDA ITEM NO. 67
SHALL BE LAID OVER FOUR WEEKS
FOR PUBLICATION AND PUBLIC HEARING”**

67. Res. that, the attached Sorensen Place Tax Increment Financing (TIF) Redevelopment Project Plan for a site located northeast of 60th Street and Sorensen Parkway proposes the clean-up and redevelopment of this challenging site into a mixed-use development to include affordable housing, commercial/retail, a self-storage facility and a convenience store, recommends the City’s participation through the allocation of TIF in an amount up to \$1,915,000.00 to offset TIF eligible expenses for infrastructure improvements and design costs (architectural and engineering fees), and other public improvements, containing a provision for the division of ad valorem taxes under Section 18-2147 through 18-2150, Revised Statutes of Nebraska, as recommended by the City Planning Department, be and hereby is approved – [see attached](#).

Notice of public hearing on August 25, 2015 published in the Daily Record and World Herald on August 6, 2015 and August 13, 2015.

CCID # 955 – Over four weeks to August 25, 2015 for publication and public hearing pursuant to City Council Rule VII H.

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**“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. 68 THROUGH 69
SHALL BE HELD ON AUGUST 11, 2015”**

ZONING ORDINANCES ON SECOND READING

68. 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](#). (See Doc. # 909 – July 21 Meeting)

CCID # 909 – ORDINANCE ON SECOND READING – Final reading to be held on August 11, 2015 pursuant to City Council Rule VII H.

69. 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).
(See Doc. # 911 – July 21 Meeting)

CCID # 911 – ORDINANCE ON SECOND READING – Final reading to be held on August 11, 2015 pursuant to City Council Rule VII H.

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**“PURSUANT TO CITY COUNCIL RULE VII H
DUE TO NO MEETING BEING HELD AUGUST 4, 2015
THE THIRD READING
ON AGENDA ITEM NOS. 70 THROUGH 87
SHALL BE HELD ON AUGUST 11, 2015”
((THE PUBLIC HEARINGS ON THESE ITEMS ARE TODAY))**

ORDINANCES ON SECOND READING and Planning Board Attachments

70. 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](#). ((PUBLIC HEARING TODAY))
(See Doc. # 930 – July 21 Meeting)

Mark Johnson, representing Creighton University, 11440 West Center Road, appeared and spoke.

CCID # 930 – Public hearing was held today – Final reading set for August 11, 2015 pursuant to City Council Rule VII H.

- (a) Planning Board and Planning Department recommend approval of the vacation of 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 – Inside City – [see attached](#).
(See Doc. # 930 – July 21 Meeting)

930 – Over to 08/11/15

71. 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](#). ((PUBLIC HEARING TODAY))
(See Doc. # 913 – July 21 Meeting)

THE FOLLOWING PERSONS APPEARED AND SPOKE:

Proponents: Doug Kagan, Nebraska Taxpayers for Freedom, 416 South 130th Street

Jennifer Creager, Greater Omaha Chamber, 1301 Harney Street

Mary Jane Truemper, President, Omaha Liberty Ladies, 5306 Izard Street

John Fullenkamp, 11440 West Center Road

Angelo Feely, 4725 South 184th Street

For the City: Cassie Seagren, Mayor's Office

Chief Todd Schamderer, Police Department

Steve Curtiss, Finance Director

Chief Bernie Kanger, Fire Department

Brook Bench, Parks, Recreation and Public Property Director

Bob Stubbe, Public Works Director

James Thele, Planning Director

CCID # 913 – Public hearing was held today – Final reading set for August 11, 2015 pursuant to City Council Rule VII H.

- (a) Communications opposing the Ordinance to approve the annexation of certain land in Douglas County, Nebraska located West of 180th and “F” Street and incorporating the same into and making the same a part of the City of Omaha – [see attached](#).

913 – Over to 08/11/15

- (b) Documents submitted in support of the 2015 Annexation Package – [see attached](#).

913 – Over to 08/11/15

- 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 Southwest of 144th and Blondo Streets, Eldorado (SID 206) – [see attached](#). ((PUBLIC HEARING TODAY))
(See Doc. # 914 – July 21 Meeting)

CCID # 914 – Public hearing was held today – Final reading set for August 11, 2015 pursuant to City Council Rule VII H.

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 Northwest of 150th and Harrison Streets, Le Beau (SID 240) – [see attached](#). ((PUBLIC HEARING TODAY))
(See Doc. # 915 – July 21 Meeting)

CCID # 915 – Public hearing was held today – Final reading set for August 11, 2015 pursuant to City Council Rule VII H.

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 Southwest of 180th and "Q" Streets, Rolling Meadows and adjacent area (SID 286) – [see attached](#). ((PUBLIC HEARING TODAY))
(See Doc. # 916 – July 21 Meeting)

CCID # 916 – Public hearing was held today – Final reading set for August 11, 2015 pursuant to City Council Rule VII H.

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 Northwest of 144th and Blondo Streets, Nelson's Creek (SID 337) – [see attached](#). ((PUBLIC HEARING TODAY))
(See Doc. # 917 – July 21 Meeting)

CCID # 917 – Public hearing was held today – Final reading set for August 11, 2015 pursuant to City Council Rule VII H.

- (a) Communication opposing the Ordinance to approve the annexation of certain land in Douglas County, Nebraska located Northwest of 144th and Blondo Streets, Nelson's Creek (SID 337) – [see attached](#).

917 – From Chair on File

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 Northeast of 156th and Blondo Streets, Diamond Head (SID 350) – [see attached](#). ((PUBLIC HEARING TODAY))
(See Doc. # 918 – July 21 Meeting)

CCID # 918 – Public hearing was held today – Final reading set for August 11, 2015 pursuant to City Council Rule VII H.

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 West of 156th Street between Blondo Street and West Maple Road, Huntington Park and adjacent area (SID 374) – [see attached](#). ((PUBLIC HEARING TODAY))
(See Doc. # 919 – July 21 Meeting)

CCID # 919 – Public hearing was held today – Final reading set for August 11, 2015 pursuant to City Council Rule VII H.

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 Northwest of 204th Street and Cumberland Drive, Skyline Country and adjacent area (SID 394) – [see attached](#). ((PUBLIC HEARING TODAY))
(See Doc. # 921 – July 21 Meeting)

CCID # 921 – Public hearing was held today – Final reading set for August 11, 2015 pursuant to City Council Rule VII H.

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 Northeast of 168th and Harrison Streets, Vintage Oaks (SID 399) – [see attached](#). ((PUBLIC HEARING TODAY))
(See Doc. # 922 – July 21 Meeting)

CCID # 922 – Public hearing was held today – Final reading set for August 11, 2015 pursuant to City Council Rule VII H.

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 144th and Fort Streets, Standing Bear Pointe (SID 401) – [see attached](#). ((PUBLIC HEARING TODAY))
(See Doc. # 923 – July 21 Meeting)

CCID # 923 – Public hearing was held today – Final reading set for August 11, 2015 pursuant to City Council Rule VII H.

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 Northwest of 168th and Harrison Streets, Mission Pines (SID 412) – [see attached](#). ((PUBLIC HEARING TODAY))
(See Doc. # 924 – July 21 Meeting)

CCID # 924 – Public hearing was held today – Final reading set for August 11, 2015 pursuant to City Council Rule VII H.

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 North of Military Road at 92nd Avenue, Northwest Village 2nd Addition (SID 430) – [see attached](#). ((PUBLIC HEARING TODAY))
(See Doc. # 925 – July 21 Meeting)

CCID # 925 – Public hearing was held today – Final reading set for August 11, 2015 pursuant to City Council Rule VII H.

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 Northwest of 144th and Sprague Streets, Hillsborough Pointe and adjacent area (SID 432) – [see attached](#). ((PUBLIC HEARING TODAY))
(See Doc. # 926 – July 21 Meeting)

CCID # 926 – Public hearing was held today – Final reading set for August 11, 2015 pursuant to City Council Rule VII H.

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 116th and Harrison Streets, Brookhaven West (SID 435) – [see attached](#). ((PUBLIC HEARING TODAY))
(See Doc. # 927 – July 21 Meeting)

CCID # 927 – Public hearing was held today – Final reading set for August 11, 2015 pursuant to City Council Rule VII H.

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 108th and Lake Streets, Whispering Hills (SID 460) – [see attached](#). ((PUBLIC HEARING TODAY))
(See Doc. # 928 – July 21 Meeting)

CCID # 928 – Public hearing was held today – Final reading set for August 11, 2015 pursuant to City Council Rule VII H.

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 Southwest of 180th and "Q" Streets, 180th Plaza and adjacent area (SID 481) – [see attached](#). ((PUBLIC HEARING TODAY))
(See Doc. # 929 – July 21 Meeting)

CCID # 929 – Public hearing was held today – Final reading set for August 11, 2015 pursuant to City Council Rule VII H.

- (a) Planning Board and Planning Department recommend approval of the 2015 Annexation Package – [see attached](#).
(See Doc. # 929 – July 21 Meeting)

929 – Over to 08/11/15

- (b) Communication opposing the 2015 Annexation Package – [see attached](#).

929 – Over to 08/11/15

ORDINANCE ON SECOND READING

87. 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](#). ((PUBLIC HEARING TODAY))
(See Doc. # 931 – July 21 Meeting)

CCID # 931 – Public hearing was held today – Final reading set for August 11, 2015 pursuant to City Council Rule VII H.

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**“PURSUANT TO CITY COUNCIL RULE VII H
DUE TO NO MEETING BEING HELD AUGUST 4, 2015
THE THIRD READING AND PUBLIC HEARINGS
ON AGENDA ITEM NOS. 88 THROUGH 96
SHALL BE HELD ON AUGUST 18, 2015”**

ZONING ORDINANCES ON FIRST READING and Planning Board Attachments

88. Ord. to rescind the PK-Parking Overlay District for property located Southeast of Leavenworth Street and Park Avenue, and to provide for an effective date – [see attached](#).

CCID # 956 – Publication to be made and public hearing and third reading to be held on August 18, 2015 pursuant to City Council Rule VII H.

- (a) Planning Board and Planning Department recommend approval of the request to repeal the PK-Parking Overlay District, for property located Southeast of Leavenworth Street and Park Avenue – [see attached](#).

956 – Over to 08/18/15

89. Ord. to rezone property located Southeast of Leavenworth Street and Park Avenue from GC-General Commercial District and R7-Medium-Density Multiple-Family Residential District to NBD-Neighborhood Business District (property is also located within an existing ACI-1 (PL) Overlay District).

CCID # 957 – Publication to be made and public hearing and third reading to be held on August 18, 2015 pursuant to City Council Rule VII H.

- (a) Planning Board and Planning Department recommend approval of a request to rezone property located Southeast of Leavenworth Street and Park Avenue from GC and R7 to NBD (property is also located within an existing ACI-1(PL) Overlay District) – [see attached](#).

957 – Over to 08/18/15

ORDINANCES ON FIRST READING and Planning Board Attachments

90. Ord. to amend Chapter 10 of the Omaha Municipal Code: to amend Section 10-310 to clarify projects covered by the Arterial Street Improvement Program (ASIP); amend Section 10-311 to clarify projects covered by ASIP; amend Section 10-313 to establish a new schedule of ASIP Fees; amend Section 10-314 to clarify Douglas County involvement; amend Section 10-315 to update the list of ASIP projects; amend Section 10-316 to clarify Douglas County's construction responsibilities; amend Section 10-317 to allow ASIP funds to be expended within the City's jurisdiction; amend Section 10-319 to refine the effective date of the article; to repeal Sections 10-310, 10-311, 10-313, 10-314, 10-315, 10-316, 10-317, and 10-319 of the Omaha Municipal Code as heretofore existing, and to provide for the effective date hereof – [see attached](#).

CCID # 960 – Publication to be made and public hearing and third reading to be held on August 18, 2015 pursuant to City Council Rule VII H.

- (a) Planning Board and Planning Department recommend approval of an amendment to the Arterial Street Improvement Program (ASIP) – [see attached](#).

960 – Over to 08/18/15

91. Ord. to adopt an Amendment to the Sanitary Interceptor Sewer Element of the City of Omaha Master Plan; and to provide for the effective date hereof – [see attached](#).

CCID # 961 – Publication to be made and public hearing and third reading to be held on August 18, 2015 pursuant to City Council Rule VII H.

- (a) Planning Board and Planning Department recommend approval of an Amendment to the Sanitary Interceptor Sewer Element of the Master Plan – [see attached](#).

961 – Over to 08/18/15

92. Ord. to amend Chapter 31 of the Omaha Municipal Code: to amend Section 31-256 to reference the 2015 update to the Interceptor Sewer Master Plan; amend Section 31-259 to establish a new schedule of Interceptor Sewer Fees; to repeal Sections 31-256 and 31-259 of the Omaha Municipal Code as heretofore existing, and to provide for the effective date hereof – [see attached](#).

CCID # 962 – Publication to be made and public hearing and third reading to be held on August 18, 2015 pursuant to City Council Rule VII H.

93. Ord. to approve an Amendment to the Transportation Element of the Master Plan for the City of Omaha regarding Complete Streets, and to provide for the effective date hereof – [see attached](#).

CCID # 963 – Publication to be made and public hearing and third reading to be held on August 18, 2015 pursuant to City Council Rule VII H.

- (a) Planning Board and Planning Department recommend approval of an Amendment to the Transportation Element of the City's Master Plan regarding Complete Streets – [see attached](#).

963 – Over to 08/18/15

94. Ord. to approve an amendment to the Urban Development Element of the Master Plan for the City of Omaha, to move the Present Development Zone boundary at various locations within the City of Omaha zoning jurisdiction; and to provide for the effective date hereof – [see attached](#).

CCID # 964 – Publication to be made and public hearing and third reading to be held on August 18, 2015 pursuant to City Council Rule VII H.

- (a) Planning Board and Planning Department recommend approval of an amendment to the Urban Development Element of the Master Plan to change the Present Development Zone boundary – [see attached](#).

964 – Over to 08/18/15

ORDINANCES ON FIRST READING

95. Ord. to create Road Maintenance Improvement District No. 745-22, in the City of Omaha, for the purpose of improving South 78th Avenue from Woolworth Avenue north to Poppleton Avenue by asphalt overlay; to fix and define the boundaries of said district; to provide for the determination and assessment of damages, if any, occasioned by reason of change of grade; to authorize the Public Works Department, barring protest to the contrary in accordance with OMC 26-65, to complete the associated improvement project; and to provide for an effective date hereof – [see attached](#).

CCID # 965 – Publication to be made and public hearing and third reading to be held on August 18, 2015 pursuant to City Council Rule VII H.

96. Ord. to create Road Maintenance District No. 845-23, in the City of Omaha, for the purpose of improving Ames Ave, Bounded by North 85th Street on the south to North 87th Avenue on the north, together with North 87th Avenue, bounded by Ames Avenue on the east to approximately 114 feet north of Boyd Street by asphalt sealant overlay; to fix and define the boundaries of said district; to provide for the determination and assessment of damages, if any, occasioned by reason of change of grade; to authorize the Public Works Department, barring protest to the contrary in accordance with OMC 26-65, to complete the associated improvement project; and to provide for an effective date hereof – [see attached](#).

CCID # 966 – Publication to be made and public hearing and third reading to be held on August 18, 2015 pursuant to City Council Rule VII H.

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**“PURSUANT TO CITY COUNCIL RULE VII H
DUE TO NO MEETING BEING HELD AUGUST 4, 2015
THE SECOND READING AND PUBLIC HEARINGS
ON AGENDA ITEM NOS. 97 THROUGH 101
SHALL BE HELD ON AUGUST 11, 2015”**

97. Ord. approving a redevelopment and tax increment financing loan agreement between the City of Omaha and Icon Properties Midtown LLC, a Nebraska limited liability company, to implement The Ones at 35th & Dodge Tax Increment Financing (TIF) Redevelopment Project Plan for a project located at 111 N. 35th Street and 3412, 3420 and 3424 Dodge Street, which proposes the demolition of four single-family home structures and the replacement with a new four-story apartment structure, to include a lower level underground climate controlled parking area with 22 stalls; the agreement authorizes the use of up to \$590,750.00 in excess ad valorem taxes (TIF) generated by the development to help fund the cost of the project; and providing for an effective date – [see attached](#).

CCID # 967 – Publication to be made and public hearing to be held on August 11, 2015 pursuant to City Council Rule VII H.

98. Ord. approving a redevelopment and tax increment financing loan agreement between the City of Omaha and Lanoha 135 Millard, LLC, a Nebraska limited liability company, to implement the Millard Lumber Tax Increment Financing (TIF) Redevelopment Project Plan for a site generally bounded by Millard Avenue on the northwest, South 134th and South 132nd Street on the north, "Q" Street on the southeast and South 135th Street on the south, which proposes the construction of a modern mixed-use redevelopment consisting of approximately 338 market-rate multi-family housing units, office and retail space, and surface parking; the agreement authorizes the use of up to \$8,885,693.00 in excess ad valorem taxes (TIF) generated by the development to help fund the cost of the project; and providing for an effective date – [see attached](#).

CCID # 969 – Publication to be made and public hearing to be held on August 11, 2015 pursuant to City Council Rule VII H.

99. Ord. to approve and execute a contract involving the payment of money from appropriations of more than one year in accordance with Section 5.17 of the Home Rule Charter of the City of Omaha, 1956, as amended, with SilverStone Group, Inc., for group benefit consulting services for a period commencing on approval by the City Council and ending on February 28, 2018, with an option for two 1-year extensions beginning respectively on March 1, 2018, and March 1, 2019; to authorize the Mayor to execute and the City Clerk to attest to such contract; to authorize payment in accordance with the terms and conditions contained therein in the monthly amounts of \$13,000 in Year 1 from approval to February 29, 2016, \$13,400 in Year 2, and \$13,800 in Year 3, and if the extension options are exercised, in the amounts of \$14,250 in Year 4; and \$14,650 in Year 5 from General Fund 11111, Organizations 105011-105015 for services related to Human Resource functions such as open enrollment, compliance and communication assistance; from General Fund 11111, Organizations 118018 (Active), 118014 (Retiree), 118015 (COBRA), Account 41331 for services related to health care; and from General Fund 11111, Organization 11817, Account 42135, for services related to workers' compensation and related fields; and to provide an effective date – [see attached](#).

CCID # 968 – Publication to be made and public hearing to be held on August 11, 2015 pursuant to City Council Rule VII H.

100. Ord. to approve the acceptance of and authorize disbursement over more than one fiscal year from the Nebraska Crime Commission, 2014-2015 Office of Violence Prevention (OVP) Grant, award #14-VP-5001, in the amount of eighty two thousand and seventeen dollars (\$82,017); match of one thousand two hundred and fifty dollars (\$1,250) provided from Fund 11111, Organization 1206046 (Community Development Support), and total program budget in the amount of eighty three thousand two hundred and sixty seven dollars (\$83,267), during the project period extending from June 1, 2015 to June 1, 2016; to provide funding for one (1) full-time Intelligence Analyst with the OPD Gang Unit as detailed in the attached grant application; to authorize payment from such grant funding and involving appropriations of more than one year in conformity with Section 5.17 of the Home Rule Charter; and, providing for the effective date hereof – [see attached](#).

CCID # 971 – Publication to be made and public hearing to be held on August 11, 2015 pursuant to City Council Rule VII H.

101. Ord. to approve the acceptance of the Nebraska Crime Commission, FY 2015 Juvenile Services Grant Awards: #15-JS-0412, Hope Employment and Learning Academy, in the amount of \$25,800, with a match of \$6,020 provided by the subcontractor Hope Center for Kids; #15-JS-0413, Greater Omaha Attendance and Learning Services Center, in the amount of \$34,720, with a match of \$19,780 provided by the subcontractor GOALS Center; #15-JS-0415, Eastern Nebraska Community Action Partnership Mini-Pros, in the amount of \$22,875, with a match of \$7,625 provided by the subcontractor Eastern Nebraska Community Action Partnership (ENCAP); and #15-JS-0417, Joven Noble/“Noble Youth” Program Expansion, in the amount of \$44,119, with a match of \$7,488 provided by the subcontractor Latino Center of the Midlands; during the project period of July 1, 2015 to June 30, 2016, to provide program support to four (4) youth-service agencies; to authorize payment from such grant funding and involving appropriations of more than one year in conformity with Section 5.17 of the Home Rule Charter; and, providing for the effective date hereof – [see attached](#).

CCID # 972 – Publication to be made and public hearing to be held on August 11, 2015 pursuant to City Council Rule VII H.

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EXECUTIVE SESSION

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

Motion by Gernandt that the meeting be adjourned

Seconded by Gray

ROLL CALL:

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

Absent: Festersen

Motion Carried 6-0

ADJOURNED: 4:42 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 28th, 2015.

WITNESS:

CITY CLERK

THE PROCEEDINGS OF THIS MEETING WERE PRESENTED TO MAYOR JEAN STOTHERT ON THE 30TH DAY OF JULY, 2015.