



**CITY OF OMAHA  
CITY COUNCIL AGENDA  
TUESDAY, APRIL 26, 2022**

**LEGISLATIVE CHAMBERS @ 2:00 P.M.  
1819 Farnam Street, Omaha, NE 68183**

Agenda and materials are available online at:  
<https://cityclerk.cityofomaha.org/city-council/agendas>

Watch the meeting live here: <https://citycouncil.cityofomaha.org/view-council-meetings>

Instructions for virtual participation via Zoom can be found on the City Clerk's web page at [www.cityofomaha.org](http://www.cityofomaha.org).

\*Pre-registration is not required for anyone attending the meeting in person.

\*[Address waiver form](#)

---

**CALL TO ORDER**

1. Roll Call
2. Pledge of Allegiance
3. Remarks by Councilmember Brinker Harding of District No. 6

**CERTIFICATION OF PUBLICATION – NOTIFICATION OF OPEN MEETING ACT**

4. City Clerk certifies publication in the Daily Record, the Official Newspaper of the City of Omaha on April 22, 2022, notice of the Pre-Council and Regular City Council Meetings, April 26, 2022.

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

**PRESENTATIONS AND PROCLAMATIONS**

5. Presentations and Proclamations – Brad Ashford

A person is allowed to speak during the public hearing of any agenda item or if the person is invited to speak by a City Councilmember regarding an item on the agenda. A person shall not be allowed to address the City Council at any other time during a meeting. Public hearings shall be conducted in the following manner: The presiding officer may invite the applicant/representative for an item to speak and/or make a presentation before the public hearing is opened. The presiding officer will then open the public hearing and call for proponents and then opponents. After all speakers have spoken, the presiding officer may provide the applicant/representative an opportunity for rebuttal. The presiding officer will then close the public hearing. The presiding officer shall determine the amount of time for speakers.

## **PLANNING ITEMS WITH PLANNING BOARD ATTACHMENTS**

### **WEST FARM REPLAT 9**

6. RES. 2022-0369 – Res. that, the Final Plat entitled West Farm Replat 9, a minor plat inside city limits, located southwest of 145th and Davenport Streets, is hereby accepted; and, the existing plat entitled West Farm Replat 7 and described on said replat, is hereby vacated. The applicant is CNI Land1, LLC – Inside City Limits – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

A. Planning Board and Planning Department recommend approval – [see attached](#).

### **MERRYWEATHER ACRES**

7. RES. 2022-0370 – Res. that, the Preliminary Plat entitled Merryweather Acres, a minor plat outside city limits, with a waiver to Section 53-9(9), Sidewalks (property is located within the FF-Flood Fringe Overlay District) located at 1221 North 252nd Street, along with the conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized. The applicant is Kelly Merryweather – Outside City Limits – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

A. Planning Board and Planning Department recommend approval – [see attached](#).

8. RES. 2022-0371 – Res. that, the Final Plat entitled Merryweather Acres, a minor plat outside city limits (property is located within the FF-Flood Fringe Overlay District), located at 1221 North 252nd Street, is hereby approved and accepted. The applicant is Kelly Merryweather – Outside City Limits – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

A. Planning Board and Planning Department recommend approval – [see attached](#).

### **THE HAVEN**

9. RES. 2022-0375 – Res. that, the Preliminary Plat entitled The Haven, subdivision outside city limits, located southwest of 216th and Fort Streets, along with the conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized. The applicant is Drew Snyder, Woodsonia Acquisitions, LLC – Outside City Limits – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

A. Planning Board and Planning Department recommend approval – [see attached](#).

10. RES. 2022-0376 – Res. that, the request of Drew Snyder, Woodsonia Acquisitions, LLC, for a waiver to the Present Development Zone specifications of the Urban Development Element of the City of Omaha Master Plan, for property located southwest of 216th and Fort Streets, in conjunction with the proposed The Haven subdivision plat, as shown on Exhibit "A", is hereby approved – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

A. Planning Board and Planning Department recommend approval – [see attached](#).

## **JACKSON TOWER REPLAT 1**

11. ORD. 42933 – An ordinance to rezone property located Northwest of 27th Street and Saint Mary's Avenue from R8-High-Density Multiple-Family Residential District to CBD-Central Business District (property is located within an ACI-1 Overlay District) – (First Reading April 5, 2022; Second Reading April 12, 2022; Third Reading, Public Hearing and Vote April 26, 2022) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
  - A. Planning Board and Planning Department recommend approval – [see attached](#).
12. RES. 2022-0297 – Res. that, the Final Plat transmitted herewith Jackson Tower Replat 1, a minor plat inside city limits, located northwest of 27th Street and Saint Mary's Avenue, is hereby approved, and concurrently a portion of the existing plat entitled Jackson Tower, and described on said replat, is hereby vacated. The applicant is Youth Emergency Services, Inc – Inside City Limits – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
  - A. Planning Board and Planning Department recommend approval – [see attached](#).
13. RES. 2022-0298 – Res. that, the Special Use Permit application submitted by Youth Emergency Services, Inc. for a Special Use Permit to allow Large group living in the CBD-Central Business District (property is located within an ACI-1 Overlay District), located northwest of 27th Street and Saint Mary's Avenue, 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 referenced application, conditions set out in Exhibit "B", and all applicable local or state statutes, ordinances or regulations are complied with; and that the proposed Special Use Permit has been reviewed and evaluated pursuant to, and meets each of, the criteria set forth in Section 55-885 of the Omaha Municipal Code – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
  - A. Planning Board and Planning Department recommend approval – [see attached](#).

## **TAX INCREMENT FINANCING (TIF) PROJECT PLAN RESOLUTION**

14. RES. 2022-0291 – Res. that, the Amendment to the HDR Aksarben Village Zone 6 Tax Increment Financing (TIF) Redevelopment Project Plan, for the redevelopment project site located northeast of 67th and Francis Streets which proposes to make additional, major public improvements in Aksarben Village Zone 6 particularly to the north of the HDR Headquarters as well as the area between the headquarters and the associated parking garage known as the Inner Rail, and authorizes the City's participation through the allocation of additional TIF in an amount up to \$1,236,586.00, resulting in a total revised TIF allocation of up to \$16,237,855.00, plus accrued interest for the entire redevelopment project, and authorizes the City's participation through the TIF loan proceeds to be used to offset eligible, public improvement expenses, containing a provision for the division of ad valorem taxes as authorized by Section 18-2147 through 18-2150, Revised Statutes of Nebraska, as analyzed and determined to be in conformance with the Community Development Law and as recommended by the City Planning Department, be and hereby is approved – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

## **SPECIAL USE PERMIT**

15. RES. 2022-0335 – Res. that, the Special Use Permit application submitted by John Faulkner for a Special Use Permit to allow Small group living (disabled) in the R7 District and within 600 feet of another group living facility, located at 3423 Cuming 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 referenced application, conditions set out in Exhibit "B", and all applicable local or state statutes, ordinances or regulations are complied with. The proposed Special Use Permit has been reviewed and evaluated pursuant to, and meets each of, the criteria set forth in Section 55-885 of the Omaha Municipal Code – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

A. Planning Board and Planning Department recommend approval – [see attached](#).

---

## **LIQUOR**

16. RES. 2022-0382 – Class C Liquor License for El Castillo Lounge, LLC, dba "El Castillo Lounge", 1802 Vinton Street. (This is a new application for a new location- formally River City Saloon). Notice was posted on the property on 04-06-2022; Notification was sent to property owners within 500 feet on 04-15-2022 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
17. RES. 2022-0383 – Class C Liquor License for Prime International Co., LLC, dba "Omaha Prime", 415 South 11th Street. (This is a new application for an old location). Present licensee is RKH Enterprises, Inc. who has a Class "C" Liquor License – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
18. RES. 2022-0384 – Class I Liquor License for DMSC Hegarty Holdings, LLC, dba "Drybar Omaha", 120 Regency Pkwy, Suite 100. (This is a new application for an old location). Present licensee is Sara Marie DB, LLC, who has a Class "I" Liquor License – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
19. RES. 2022-0385 – Class IK Liquor License for Texas Roadhouse Holdings, LLC, dba "Texas Roadhouse", 520 North 155th Plaza. (This is a new application for an old location and Downgrade). Present licensee is Roadhouse of Omaha, LLC, who has a Class "CK" Liquor License – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
20. RES. 2022-0386 – Liquor License Addition Application – COJF, LLC, dba "Main Street Cellar", 2714 N Main Street, requests permission for an addition to their present Class "C" Liquor License location of a two (2) story area 52' x 24' and an outdoor area approx. 6' x 24'. (Notice was posted on the property on 04-06-2022; Notification was sent to property owners within 500 feet on 04-15-2022) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
21. RES. 2022-0387 – Liquor License Addition Application – NOKA, LLC, dba "Nite Owl", 3902 Farnam Street, requests permission for an addition to their present Class "I" Liquor License location of an outdoor area approx. 9' x 20' to the south. (Notice was posted on the property on 04-04-2022; Notification was sent to property owners within 500 feet on 04-15-2022) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

## **CONSENT AGENDA**

(Any member of the City Council may cause any item placed on the Consent Agenda to be removed. 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 provided by the City Council Rules of Order.)

(The public hearing on Agenda Items 22 and 23 was held on April 12, 2022.)

22. ORD. 42934 – An ordinance to accept the bid from MaConn Enterprises, LLC for mowing of the Missouri River Flood Levee (Areas A, B, and C) in the amount of \$36,925.00 per year, for a period of two years, with sole option by the City to extend the price agreement for up to two additional one-year periods; providing for the payments from appropriations of more than one year in accordance with Section 5.17 of the Home Rule Charter of 1956 as amended; to authorize the Purchasing Agent to issue a purchase order – (First Reading April 5, 2022; Second Reading and Public Hearing April 12, 2022; Third Reading April 26, 2022) – [see attached](#).
23. ORD. 42935 – An ordinance to rescind Ordinance #42771 passed by City Council on December 7, 2021, originally awarding a bid to BMI Janitorial Group in the amount of \$301,492.00/ year for janitorial services at the Omaha Police Department Headquarters facility, satellite precinct stations, and facilities located throughout the City as specified by Section – (First Reading April 5, 2022; Second Reading and Public Hearing April 12, 2022; Third Reading April 26, 2022) – [see attached](#).

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

(The public hearings on Agenda Items 24 through 55 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**

24. RES. 2022-0388 – Res. that, in accordance with the Lottery Operator's Agreement with the City of Omaha, EHPV Lottery Services, LLC. is granted approval to operate a Big Red satellite keno location at Bob and Willie's Bowl, 3724 Farnam Street – [see attached](#).
25. RES. 2022-0389 – Res. that, in accordance with the Lottery Operator's Agreement with the City of Omaha, EHPV Lottery Services, LLC. is granted approval to operate a Big Red satellite keno location at Azul Sports Bar, 5132 L Street – [see attached](#).
  - A. Communication in opposition – [see attached](#).
26. RES. 2022-0390 – Res. that, in accordance with the Lottery Operator's Agreement with the City of Omaha, EHPV Lottery Services, LLC. is granted approval to operate a Big Red satellite keno location at Pub 134, 3015 North 90th Street, Suite 5 – [see attached](#).
27. RES. 2022-0391 – Res. that, in accordance with the Lottery Operator's Agreement with the City of Omaha, EHPV Lottery Services, LLC. is granted approval to operate a Big Red satellite keno location at Brokedown Palace, 8805 Maple Street – [see attached](#).

28. RES. 2022-0392 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to JCI Industries, Inc., in the amount of \$40,000.00, for the purchase of Moyno Pump Parts, to be utilized by the Papillion Creek Water Resource Recovery Facility. (The Finance Department is authorized to pay the cost of this purchase from the Sewer Revenue Fund 21121, Papillion Creek Plant Maintenance Organization 116614, year 2022 funding.) – [see attached](#).
29. RES. 2022-0393 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Iowa Pump Works, in the amount of \$22,331.80, for the purchase of a Sulzer Storm Water Pump, to be utilized by the Missouri River Water Resource Recovery Facility. (The Finance Department is authorized to pay the cost of this purchase from the Sewer Revenue Fund 21121, Missouri Resource Recovery Facility Mtce Organization 116613, year 2022 funding.) – [see attached](#).
30. RES. 2022-0394 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Hydro International, in the amount of \$76,310.08, for the purchase of grit separator/removal system rebuild parts, to be utilized by the Missouri River Water Resource Recovery Facility. (The Finance Department is authorized to pay the cost of this purchase from the Sewer Revenue Fund 21121, Missouri Resource Recovery Facility Mtce Organization 116613, year 2022 funding.) – [see attached](#).
31. RES. 2022-0395 – Res. that, as recommended by the Mayor, the contract with Oldcastle Materials Midwest Co. dba Omni Engineering, in the amount of \$3,438,308.50, for OPW 54282, being the 2022 Major Street Resurfacing, Various Locations Project, is hereby approved. (The Finance Department is authorized to pay the cost of \$3,438,308.50, from the Street Allocation Fund 12131, Major Street Resurfacing Organization 116159, year 2022 expenditure.) – [see attached](#).
32. RES. 2022-0396 – Res. that, as recommended by the Mayor, the contract with Mack Bros Groundskeeping, in the amount of \$38,700.00, for OPW 54291, being the 2022-2023 Seeding and Sodding at Various Locations Project, is hereby approved. (The Finance Department is authorized to pay the cost of \$38,700.00, from the Street Allocation Fund 12131, Residential Street Rehab Organization 116161, year 2022 expenditure.) – [see attached](#).
33. RES. 2022-0397 – Res. that, as recommended by the Mayor, the contract with Oldcastle Materials Midwest Co. dba Omni Engineering, in the amount of \$4,882,033.20, for OPW 54280, being the 2022 Residential Street Resurfacing Package 1, Various Locations Project, is hereby approved. (The Finance Department is authorized to pay the cost of \$4,882,033.20, from the 2020 Street Preservation Bond Fund 13191, Transportation Bonds Organization 117117, year 2022 expenditure.) – [see attached](#).
34. RES. 2022-0398 – Res. that, as recommended by the Mayor, the contract with Bayshore Contractors, LLC, in the amount of \$126,775.00, for OPW 54333, being the Concrete Speed Bumps at Various Locations - 2022 Project, is hereby approved. (The Finance Department is authorized to pay the cost of \$126,775.00, from the Street Allocation Fund 12131, Capital (Traffic) Organization 116189, year 2022 expenditure.) – [see attached](#).



35. RES. 2022-0399 – Res. that, as recommended by the Mayor, the contract with All Purpose Construction, in the amount of \$185,000.00, for OPW 54134, being the Papio WRRF Bisulfite Tankage Expansion Project, is hereby approved. (The Finance Department is authorized to pay the cost of \$185,000.00, from the Sewer Revenue Improvements Bond Fund 21124, Capital Asset Replacement Program Bond Organization 116913; Sewer Revenue Bonds will be issued to finance this project.) – [see attached](#).
36. RES. 2022-0400 – Res. that, as recommended by the Mayor, the Professional Services Agreement with The Schemmer Associates, Inc., in the amount of \$52,609.00, to provide professional engineering services on OPW 53948, being the N 65th Avenue from Fowler Avenue to Ames Avenue Street Improvement District Project, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$52,609.00, from the 2020 Street Preservation Bond Fund 13191, Transportation Bonds Organization 117117.) – [see attached](#).
37. RES. 2022-0401 – Res. that, as recommended by the Mayor, the Professional Services Agreement with Ehrhart Griffin & Associates, Inc., in the amount of \$99,496.00, to provide professional engineering services for on-call design review and technical support services, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$99,496.00, from the Street Allocation Fund 12131, Engineering Organization 116132, year 2022 expenditure.) – [see attached](#).
38. RES. 2022-0402 – Res. that, as recommended by the Mayor, the Professional Services Agreement with The Schemmer Associates Inc., in the amount of \$96,433.00, to provide professional engineering services on OPW 54202, being the Q Street Retaining Wall Replacement, Millard Avenue to 156th Street Project, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$96,433.00, from the 2018 Transportation Bond Fund 13185, Transportation Bonds Organization 117117.) – [see attached](#).
39. RES. 2022-0403 – Res. that, as recommended by the Mayor, the Professional Services Agreement with Alfred Benesch & Company, in the amount of \$2,112,184.00, to provide professional construction phase engineering services on OPW 54280, being the 2022 Residential Street Resurfacing Package 1, Various Locations Project, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$2,112,184.00, from the 2020 Street Preservation Bond Fund, Residential Street Rehab Organization 116161.) – [see attached](#).
40. RES. 2022-0405 – Res. that, the Declaration of Use, formally dedicating a portion of the northwest corner of Lot 8, Block 6, Maxwells 2nd addition and located on the southeast corner of South 13th Street and J Street, for use as a Permanent Traffic Signal Easement described on Exhibit 1, for the purpose of be and hereby is approved, and the Mayor is authorized to execute the said document – [see attached](#).
41. RES. 2022-0406 – Res. that, the Declaration of Use, formally dedicating a portion of the southeast corner of Christie Heights Park, for use as a Permanent Traffic Signal Easement described on Exhibit 1, for the purpose of be and hereby is approved, and the Mayor is authorized to execute the said document – [see attached](#).

42. RES. 2022-0407 – Res. that, the Declaration of Use, formally dedicating portions of the west side, south side, and the southwest corner of Seymour Smith Park, for use as a Permanent Traffic Signal Easement described on Exhibit 1, for the purpose of be and hereby is approved, and the Mayor is authorized to execute the said document – [see attached](#).
43. RES. 2022-0408 – Res. that, the Declaration of Use, formally dedicating a portion of the west side of Hanscom Park, for use as a Permanent Traffic Signal Easement described on Exhibit 1, for the purpose of be and hereby is approved, and the Mayor is authorized to execute the said document – [see attached](#).
44. RES. 2022-0409 – Res. that, the attached Declaration of Use, formally dedicating a portion of the southeast corner of Elmwood Park, for use as a Permanent Traffic Signal Easement described on Exhibit 1, for the purpose of be and hereby is approved, and the Mayor is authorized to execute the said document – [see attached](#).
45. RES. 2022-0412 – Res. that, Resolution No. 2022-0210 as approved by the City Council on March 29, 2022, approving the preliminary plat of Antler View Replat 4, a minor plat outside city limits, located southwest of Big Elk Parkway and West Maple Road be corrected. The corrected Resolution lists the preliminary plat entitled West Farm Replat 8, a minor plat outside city limits, located southwest of 144th and Davenport Streets, and corrects errors in the resolution regarding plat name and location – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
46. RES. 2022-0413 – Res. that, as recommended by the Mayor, the Memorandum of Understanding between the City of Omaha and MAPA to perform the duties and responsibilities for the Heartland 2050 Transportation Mini Grant for the Bicycle-Pedestrian Master Plan Study, is hereby approved – [see attached](#).
47. RES. 2022-0414 – Res. that, the Grant Agreement, as recommended by the Mayor, to provide funding in the amount of \$33,850.00 for the rehabilitation and lead reduction work, when applicable, to the property owned by Karen Isom located at 3312 North 43rd Street, is hereby approved. The Contract is to be awarded to Built Right Home Improvement Services. (Funds shall be paid from CDBG Full Rehab/Exterior SF 2021 Housing Rehabilitation Program, Award No. 100864, Fund No. 12186, Org. No. 128072.) – [see attached](#).
48. RES. 2022-0415 – Res. that, the Grant Agreement, as recommended by the Mayor, to provide funding in the amount of \$44,000.00 for the rehabilitation and lead reduction work, when applicable, to the property owned by Celeste Smith located at 3019 Titus Avenue, is hereby approved. The Contract is to be awarded to Built Right Home Improvement Services. (Funds shall be paid from CDBG Full Rehab/Exterior SF 2021 Housing Rehabilitation Program, Award No. 100864, Fund No. 12186, Org. No. 128072.) – [see attached](#).
49. RES. 2022-0416 – Res. that, as recommended by the Mayor, between 11:00 p.m. on Tuesday, July 19, 2022 and 5:00 a.m. on Saturday, July 23, 2022, Memorial Park, 6005 Underwood Avenue, shall be open to accommodate the set-up of equipment and overnight security for the City of Omaha Celebrates America event – [see attached](#).



50. RES. 2022-0417 – Res. that, as recommended by the Mayor, the purchase based upon the quote from Vermeer High Plains, in the amount of \$42,927.00 for Brush Chippers, for the Parks, Recreation and Public Department, providing a unique and non-competitive service as provided in Chapter 5.16 of the Home Rule Charter 1956 as amended, is hereby approved. (The Finance Department of the City of Omaha is authorized to pay the Funds from the Golf Fund No. 21114 and Organization No. 115461, Golf Operations.) – [see attached](#).
51. RES. 2022-0418 – Res. that, as recommended by the Mayor, the purchase based upon the quote of Anderson Ford of Lincoln in the amount of \$35,788.00 for one (1) Ford F150 ½ Ton Ext. Cab 4x4 Truck, having been determined to be the best available current price, is hereby accepted. (The Finance Department is authorized to pay the cost from the General Fund No. 11111 and Organization No. 115025, Ground Maintenance Contracts.) – [see attached](#).
52. RES. 2022-0419 – Res. that, as recommended by the Mayor, the purchase based upon the pricing from Clean Harbors Environmental Services, Inc., in the amount of \$25,662.00 to provide services of pump out and dispose of fuel at N.P. Dodge Park, which was damaged due to the March 2019 flood event, providing a unique and non-competitive service as provided in Chapter 5.16 of the Home Rule Charter 1956 as amended, is hereby approved. (The Finance Department of the City of Omaha is authorized to pay the Funds in the amount of \$25,662.00 to Clean Harbors Environmental Services, Inc. from the Marinas Fund No. 21111 and Organization No. 115451, NP Dodge Marina, the City of Omaha will be reimbursed by Federal Emergency Management Agency (FEMA).) – [see attached](#).
53. RES. 2022-0420 – Res. that, the reappointment by Mayor Jean Stothert of Amy Haase as a member of the Board of Directors for the Transit Authority of the City of Omaha to serve a five-year term, said term to commence April 27, 2022 and expire April 26, 2027, be and hereby is confirmed and approved – [see attached](#).
54. RES. 2022-0421 – Res. that, the appointments by Mayor Jean Stothert of those employees of the City of Omaha holding the positions of Finance Director, Planning Director, and Public Works Director, as members of the Board of Directors for the Omaha Streetcar Authority, said terms to commence effective April 5, 2022 and expire at such time as they may be removed or replaced by the City, in accordance with the provisions of the Interlocal Agreement, is hereby confirmed – [see attached](#).
55. RES. 2022-0422 – Res. that, J. Scott Barker, Janet Bonet, John Fox, Kathleen Kauth, Michael Kennedy, Paul Kratz, Negil McPherson Jr, Maxwell Morgan, Tim Pendrell, Julia Plucker, Andrew Prystai, Angie Quinn, DeJuan Reddick, Armando Salgado, and Jorge Sotolongo be and hereby are, appointed by the Mayor with the concurrence of the City Council as the members of the Charter Study Convention created and established by Ordinance No. 42931; and that Negil McPherson Jr is hereby designated Temporary Chairperson and presiding officer of the Charter Study Convention to serve until the said convention shall elect a Chairperson, Vice-Chairperson and Secretary as provided in Section 4 of Ordinance No. 42931 – [see attached](#).

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

## **RESOLUTIONS**

56. RES. 2022-0404 – Res. that, as recommended by the Mayor, the Wireline Crossing Agreement between the City of Omaha and the Union Pacific Railroad Company setting out the terms and conditions, and providing for the license for a pipeline crossing at Mile Post 0.51, North Omaha Lead, is hereby approved. (100% of the eligible costs of this project are covered by funds through Metropolitan Entertainment & Convention Authority (MECA), per a separate agreement.) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
57. RES. 2022-0410 – Res. that, the 2021 Tax Increment Financing (TIF) Annual Report for the City of Omaha, as recommended by the City Planning Department, is hereby accepted – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
58. RES. 2022-0423 – Res. that, as recommended by the Mayor, the construction management at risk delivery system, pursuant to the Political Subdivisions Construction Alternatives Act, for the construction of the tenant improvements at both the Downtown Branch Library and Library Central Distribution Facility, is hereby approved – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
59. RES. 2022-0424 – Res. that, as recommended by the Mayor, the policies for entering into a design-build contract or construction management at risk contract, pursuant to the Political Subdivisions Construction Alternatives Act, are hereby approved – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
- 

## **NON-ACTION ITEMS**

(Items 60 through 87 do not require a public hearing or City Council consideration at the present meeting, but will be placed on a future agenda for a public hearing and City Council consideration. The reason for non-action is noted after the item on the agenda as well as the date the item is expected to appear on an agenda for City Council consideration.)

(CITY COUNCIL WILL NOT MEET ON MAY 31, 2022)

## **METROPOLITAN UTILITIES DISTRICT FINANCIAL STATEMENT**

60. CCID 2022-0380 – Report on the financial statements and additional information of the Water Department and Gas Department of the Metropolitan Utilities District as of December 31, 2021 – [see attached](#). **(THIS ITEM WAS RECEIVED BY THE CITY CLERK AND REFERRED TO THE FINANCE DEPARTMENT)**

## **ELMWOOD TOWNHOMES**

61. ORD. 42940 – An ordinance to rezone property located southeast of 54th and Leavenworth Streets from R4(35) – Single-Family Residential District (High-Density), R5(35) – Urban Family Residential District, and GO-General Office District to R5 – Urban Family Residential District – (First Reading April 12, 2022; **Second Reading April 26, 2022**; Third Reading, Public Hearing and Vote May 3, 2022) – [see attached](#).

62. ORD. 42941 – An ordinance to rezone property located southeast of 54th and Leavenworth Streets from R4(35) – Single-Family Residential District (High-Density), R5(35) – Urban Family Residential District, and GO-General Office District to GO-General Office District – (First Reading April 12, 2022; **Second Reading April 26, 2022**; Third Reading, Public Hearing and Vote May 3, 2022) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
63. ORD. 42942 – An ordinance to approve a PUR-Planned Unit Redevelopment Overlay District located southeast of 54th and Leavenworth Streets, to approve the Development Plan – (First Reading April 12, 2022; **Second Reading April 26, 2022**; Third Reading, Public Hearing and Vote May 3, 2022) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
64. RES. 2022-0337 – Res. that, the Preliminary Plat entitled Elmwood Townhomes, a minor plat inside city limits, with a waiver to Section 53-8(4)(a), Lot Depth located Southeast of 54th and Leavenworth Streets, along with the conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized. The applicant is Elmwood Townhomes, LLC – Inside City Limits – [see attached](#). **(LAID OVER TO THE MAY 3, 2022 CITY COUNCIL MEETING TO COINCIDE WITH ITEMS 61-63)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
65. RES. 2022-0338 – Res. that, the Final Plat entitled Elmwood Townhomes, a minor plat inside city limits, located southeast of 54th and Leavenworth Streets, is hereby approved and concurrently a portion of the existing plats entitled Himebaugh's Addition Replat 1 and Himebaugh's Addition, and described on said replat, is hereby vacated. The applicant is Elmwood Townhomes, LLC – Inside City Limits – [see attached](#). **(LAID OVER TO THE MAY 3, 2022 CITY COUNCIL MEETING TO COINCIDE WITH ITEMS 61-63)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).  
B. Communication in support – [see attached](#).
66. RES. 2022-0381 – Res. that, the Subdivision Agreement among the City of Omaha, Elmwood Townhomes, LLC, and The Elmwood Townhomes Owners Association, as recommended by the Mayor, is hereby approved. The Subdivision is to be known as Elmwood Townhomes (Lots 1-20 and Outlot A) and is located southeast of 54th and Leavenworth Streets – [see attached](#). **(LAID OVER TO THE MAY 3, 2022 CITY COUNCIL MEETING TO COINCIDE WITH ITEMS 61-63)**

#### **FOXLEY INDUSTRIAL PARK REPLAT FIVE**

67. RES. 2022-0372 – Res. that, the Preliminary Plat entitled Foxley Industrial Park Replat Five, a minor plat inside city limits, located at 4910 F Street, along with the conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized. The applicant is Art Neppi, ABN Building, LLC – Inside City Limits – [see attached](#). **(LAID OVER TO THE MAY 10, 2022 CITY COUNCIL MEETING TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).

68. RES 2022-0373 – Res. that, the Final Plat entitled Foxley Industrial Park replat Five, a minor plat inside city limits, located at 4910 F Street, is hereby approved and accepted; and that the replat transmitted herewith entitled FOXLEY INDUSTRIAL PARK REPLAT FIVE, a minor plat inside city limits, located at 4910 F Street, is hereby approved, and concurrently a portion of the existing plats entitled Foxley Industrial Park, and described on said replat, are hereby vacated. The applicant is Art Neppl, ABN Building, LLC – Inside City Limits – [see attached](#). **(LAID OVER TO THE MAY 10, 2022 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 67)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).

### **FLINN SUBDIVISION ONE**

69. ORD. 42944 – An ordinance to rezone property located at located Northeast of 66th and Grover Streets from DR-Development Reserve District and GI-General Industrial District to GI-General Industrial District (property is located within the FF-Flood Fringe and FW-Floodway Overlay Districts) – **(First Reading April 26, 2022;** Second Reading May 3, 2022; Third Reading, Public Hearing and Vote May 10, 2022) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
70. RES. 2022-0374 – Res. that, the Final Plat entitled Flinn Subdivision One, a minor plat inside city limits, located Northeast of 66th and Grover Streets (property is located within the FF-Flood Fringe and FW-Floodway Overlay Districts), is hereby approved and accepted. The applicant is Mike McIntosh, Lamp Rynearson Inc – Inside City Limits – [see attached](#). **(LAID OVER TO THE MAY 10, 2022 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 69)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).

### **GROVE RIDGE**

71. ORD. 42945 – An ordinance to rezone property located Southeast of 192nd and Harney Streets from AG-Agricultural District to R6-Low-Density Multiple-Family Residential District – **(First Reading April 26, 2022;** Second Reading May 3, 2022; Third Reading, Public Hearing and Vote May 10, 2022) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
72. ORD. 42946 – An ordinance to approve a Major Amendment to a PUD-Planned Unit Development Overlay District located Southeast of 192nd and Harney Streets, to approve the Development Plan – **(First Reading April 26, 2022;** Second Reading May 3, 2022; Third Reading, Public Hearing and Vote May 10, 2022) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).

73. RES. 2022-0377 – Res. that, the Final Plat entitled Grove Ridge (Lot 4) (formerly 192nd and Leavenworth), a subdivision outside city limits, with rezoning from AG to R6 located Southeast of 192nd and Harney Streets, is hereby approved and accepted. The applicant is 192 Harney Holding, LLC, Jack Schrager – Outside City Limits – [see attached](#). **(LAID OVER TO THE MAY 10, 2022 CITY COUNCIL MEETING TO COINCIDE WITH ITEMS 69-70)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
74. RES. 2022-0378 – Res. that, the Subdivision Agreement between the City of Omaha and 192 Harney Holdings, LLC, as recommended by the Mayor, is hereby approved. The Subdivision is to be known as Grove Ridge (Lot 4) and is located southeast of 192nd and Harney Streets – [see attached](#). **(LAID OVER TO THE MAY 10, 2022 CITY COUNCIL MEETING TO COINCIDE WITH ITEMS 71-72)**

#### **PLANNING ORDINANCES ON SECOND READING WITH PLANNING BOARD ATTACHMENTS**

75. ORD. 42936 – An ordinance to amend the boundaries of the MCC-Major Commercial Corridor Overlay District, to incorporate into that district the property located at 6603 L Street – (First Reading April 12, 2022; **Second Reading April 26, 2022**; Third Reading, Public Hearing and Vote May 3, 2022) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
76. ORD. 42937 – An ordinance to rezone property located at 1808 Sahler Street from GI – General Industrial District to R5 – Urban Family Residential District – (First Reading April 12, 2022; **Second Reading April 26, 2022**; Third Reading, Public Hearing and Vote May 3, 2022) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
77. ORD. 42938 – An ordinance to rezone property located at 2316 Madison Street from GI – General Industrial District and HI – Heavy Industrial District to GI – General Industrial District – (First Reading April 12, 2022; **Second Reading April 26, 2022**; Third Reading, Public Hearing and Vote May 3, 2022) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).
78. ORD. 42939 – An ordinance to amend the boundaries of the ACI-3-Areas of Civic Importance Overlay District, to incorporate into that district the property located at 10910 Mill Valley Road – (First Reading April 12, 2022; **Second Reading April 26, 2022**; Third Reading, Public Hearing and Vote May 3, 2022) – [see attached](#).
- A. Planning Board and Planning Department recommend approval – [see attached](#).

79. RES. 2022-0336 – Res. that, the Special Use Permit application submitted by Michael Murphy (Fiserv, Inc.) for a Large Project Special Use Permit to allow development over ten acres in size on property located at 10910 Mill Valley Road, 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 referenced application, conditions set out in Exhibit "B", and all applicable local or state statutes, ordinances or regulations are complied with and the proposed Special Use Permit has been reviewed and evaluated pursuant to, and meets each of, the criteria set forth in Section 55-885 of the Omaha Municipal Code – [see attached](#). **(LAID OVER TO THE MAY 3, 2022 CITY COUNCIL MEETING TO COINCIDE WITH ITEM 76)**

A. Planning Board and Planning Department recommend approval – [see attached](#).

#### **PLANNING ORDINANCE ON FIRST READING WITH PLANNING BOARD ATTACHMENT**

80. ORD. 42943 – An ordinance to rezone property located at 8909 Burt Street from R2 - Single-Family Residential District (Low-Density) to R5 – Urban Family Residential District – **(First Reading April 26, 2022; Second Reading May 3, 2022; Third Reading, Public Hearing and Vote May 10, 2022)** – [see attached](#).

A. Planning Board and Planning Department recommend approval – [see attached](#).

#### **TAX INCREMENT FINANCING (TIF) PROJECT PLAN RESOLUTION**

81. RES. 2022-0411 – Res. that, the Community Innovation Campus Tax Increment Financing (TIF) Redevelopment Project Plan, for the redevelopment project site located at 1127 North 20th Street, which proposes to rehabilitate a vacant 19,060 square foot building for use as a community kitchen and dietary call center. The kitchen will serve the community nutrition needs of CHI's existing facilities, and authorizes the City's participation through the allocation of TIF in an amount up to \$385,000.00, plus accrued interest, to offset TIF eligible expenses including, but not limited to acquisition, site work, building rehabilitation construction costs, architectural and engineering costs, and public improvements as required, containing a provision for the division of ad valorem taxes as authorized by Section 18-2147 through 18-2150, Revised Statutes of Nebraska, as analyzed and determined to be in conformance with the Community Development Law and as recommended by the City Planning Department, be and hereby is approved – [see attached](#). **(LAID OVER TO THE MAY 17, 2022 CITY COUNCIL MEETING TO ADVERTISE FOR PUBLIC HEARING)**



## **SPECIAL USE PERMIT**

82. RES. 2022-0379 – Res. that, the Special Use Permit application submitted by Shaquita Crawford for a Special Use Permit to allow Small group living (nondisabled) in the R4(35) District, located at 3316 North 45th 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 referenced application, conditions set out in Exhibit "B", and all applicable local or state statutes, ordinances or regulations are complied with. The proposed Special Use Permit has been reviewed and evaluated pursuant to, and meets each of, the criteria set forth in Section 55-885 of the Omaha Municipal Code – [see attached](#). **(LAID OVER TO THE MAY 10, 2022 CITY COUNCIL MEETING TO ADVERTISE FOR PUBLIC HEARING AND TO NOTIFY SURROUNDING PROPERTY OWNERS)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).

## **ORDINANCES ON FIRST READING**

83. ORD. 42947 – An ordinance to accept the bid from The Office Cleaners for janitorial services for the Traffic Maintenance Facility, at a cost of \$11,260.00 per year, for a period of three (3) years, with sole option by the City to extend the price agreement for up to two (2) additional one-year periods; providing for the payments from appropriations of more than one year in accordance with Section 5.17 of the Home Rule Charter of 1956 as amended; to authorize the Purchasing Agent to issue a purchase order – **(First Reading April 26, 2022; Second Reading and Public Hearing May 3, 2022; Third Reading May 10, 2022)** – [see attached](#).
- A. Communication in opposition – [see attached](#).
84. ORD. 42948 – An ordinance approving an Agreement between the City of Omaha and Lynn Vinduska, of Cass County, Nebraska, involving the payment of money from appropriations of more than one year in accordance with Section 5.17 of the Home Rule Charter of 1956, as amended; to provide for the terms and conditions under which Lynn Vinduska will receive and land apply stabilized sewage sludge, according to applicable standards, laws, and policies of the City of Omaha and other relevant jurisdictions for an agreement period ending December 31, 2022 with up to four automatic one-year renewals; to authorize the Finance Department to pay a sum not to exceed \$0.60 per cubic yard of stabilized sludge from the Sewer Revenue Fund 21121, Missouri River Water Resource Recovery Facility Organization 116612 – **(First Reading April 26, 2022; Second Reading and Public Hearing May 3, 2022; Third Reading May 10, 2022)** – [see attached](#).
85. ORD. 42949 – An ordinance approving a redevelopment and Tax Increment Financing (TIF) Redevelopment Agreement between the City of Omaha and F & J Enterprises, Inc, to implement the Abbott Drive Industrial Building Tax Increment Financing (TIF) Redevelopment Project Plan for a redevelopment project site located at 5906 Abbott Drive, which proposes the new construction of a one story 150,000 square foot warehouse and distribution building; the agreement authorizes the use of up to \$3,875,000.00, plus accrued interest, in excess ad valorem taxes (TIF) generated by the development to help fund the cost of the project – **(First Reading April 26, 2022; Second Reading and Public Hearing May 3, 2022; Third Reading May 10, 2022)** – [see attached](#).

86. ORD. 42950 – An ordinance approving a redevelopment and Tax Increment Financing (TIF) Redevelopment Agreement between the City of Omaha and MH Ozone II LLC, to implement the MH Landing Lot 4 Tax Increment Financing (TIF) Redevelopment Project Plan for a redevelopment project site located at 3321 South 72nd Street, which proposes demolition of an existing hotel and water park and construction of a new four story hotel with 85 guest rooms on the site; the agreement authorizes the use of up to \$2,000,000.00, plus accrued interest, in excess ad valorem taxes (TIF) generated by the development to help fund the cost of the project – (**First Reading April 26, 2022**; Second Reading and Public Hearing May 3, 2022; Third Reading May 10, 2022) – [see attached](#).
87. ORD. 42951 – An ordinance authorizing the Purchasing Agent to issue a Purchase Order to Chief School Bus Service, Inc., to provide bus service transportation for Summer Recreation Programs at Camp Hanscom, Hummel Park Day Camp, Camp Adams, and Senior Program Field Trips, in the total amount of \$52,530.00. This Agreement will commence upon City Council approval and run through December 31, 2022. This Agreement may be extended on the same terms and conditions for an additional one-year with three (3) one-year extensions at the option of the City, exercised by the Parks, Recreation and Public Property Department. (The Finance Department is authorized to pay the Funds in the total amount of \$52,530.00 to Chief School Bus Service, Inc., from the General Fund No. 11111, and Organization Nos. – 115352 - Hummel Park Day Camp (\$47,850.00), and – 115111 Community Center Admin. (\$4,680.00).) – (**First Reading April 26, 2022**; Second Reading and Public Hearing May 3, 2022; Third Reading May 10, 2022) – [see attached](#).

### **EXECUTIVE SESSION**

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

### **ADJOURNMENT**

This Agenda, which shall be kept continually current, shall be available for public inspection in the Office of the City Clerk, Omaha/Douglas Civic Center, 1819 Farnam Street, Suite LC-1, Omaha, NE, during normal business hours.

All requests for accommodations, including interpreters and signers, will require at least 2 business days advance notice. Please contact the City Clerk's Office at [cityclerk@cityofomaha.org](mailto:cityclerk@cityofomaha.org) to request a copy of the required form if arrangements need to be made.



**CITY OF OMAHA  
CITY COUNCIL PRE-COUNCIL MEETING AGENDA  
TUESDAY, APRIL 26, 2022**

**ROSKENS ROOM @ 10:30 A.M.**  
**Omaha/Douglas Civic Center**  
**1819 Farnam Street, Omaha, NE 68183**  
[www.cityofomaha.org](http://www.cityofomaha.org)

---

**CERTIFICATION OF PUBLICATION – NOTIFICATION OF OPEN MEETING ACT**

1. City Clerk certifies publication in Daily Record, the Official Newspaper of the City of Omaha on April 22, 2022, notice of the Pre-Council and Regular City Council Meetings, April 26, 2022.
2. A current copy of the Open Meeting Act is located on the table next to the City Clerk.

**DISCUSSION TOPICS**

3. Discussion of Agenda Items and matters pertaining thereto.

**EXECUTIVE SESSION**

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

**ADJOURNMENT**

---

This Agenda, which shall be kept continually current, shall be available for public inspection in the Office of the City Clerk, Omaha/Douglas Civic Center, 1819 Farnam Street, Suite LC-1, Omaha, NE, during normal business hours.

All requests for sign language interpreters (signers) will require a minimum of 48 hours advance notice. Alternative formats require a minimum of 72 hours advance notice. Please contact Kimberly Hoelsing at (402) 444-5552 if arrangements need to be made.