



**CITY OF OMAHA
CITY COUNCIL AGENDA
TUESDAY, MAY 3, 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.

*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 Aimee Melton of District No. 7

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 29, 2022, notice of the Pre-Council and Regular City Council Meetings, May 3, 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-Rich Pahls

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

EVERGREEN

6. RES. 2022-0194 – Res. that, the Preliminary Plat entitled Evergreen, a subdivision outside city limits, located southeast of 168th and Military Road (portions of the property are located within the FF-Flood Fringe Overlay District), along with the conditions, is hereby accepted; and, the preparation of the final plat of this subdivision is hereby authorized. The applicant is Graves Development Resources – Outside City Limits – [see attached](#). **(LAID OVER FROM THE MARCH 1, 2022 AND THE APRIL 5, 2022 CITY COUNCIL MEETING, PUBLIC HEARING AND VOTE TODAY)**
 - A. Planning Board and Planning Department recommend approval – [see attached](#).
 - B. Request to postpone this item to the May 3, 2022 City Council meeting – [see attached](#).

ELMWOOD TOWNHOMES

7. 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](#). **(PUBLIC HEARING AND VOTE TODAY)**
8. 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](#). **(PUBLIC HEARING AND VOTE TODAY)**
 - A. Planning Board and Planning Department recommend approval – [see attached](#).
 - B. Amendment of the Whole requested by the Planning Department – [see attached](#).
9. 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](#). **(PUBLIC HEARING AND VOTE TODAY)**
 - A. Planning Board and Planning Department recommend approval – [see attached](#).
 - B. Amendment of the Whole requested by the Planning Department – [see attached](#).

10. 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](#). **(PUBLIC HEARING AND VOTE TODAY)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
11. 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](#). **(PUBLIC HEARING AND VOTE TODAY)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
B. Communication in support – [see attached](#).
C. Amendment of the Whole requested by the Planning Department – [see attached](#).
12. 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 1-21 and Outlot A) and is located southeast of 54th and Leavenworth Streets – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

PLANNING ORDINANCES ON FINAL READING WITH PLANNING BOARD ATTACHMENTS

13. 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](#). **(PUBLIC HEARING AND VOTE TODAY)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
14. 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](#). **(PUBLIC HEARING AND VOTE TODAY)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
15. 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](#). **(PUBLIC HEARING AND VOTE TODAY)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).

16. 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](#). **(PUBLIC HEARING AND VOTE TODAY)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
17. 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](#). **(PUBLIC HEARING AND VOTE TODAY)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
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LIQUOR

18. RES. 2022-0427 – Class C Liquor License for AJ Hsu, LLC, dba "Wave Bistro", 4002 North 144th Street. (This is a new application for an old location - UPGRADE). Present licensee is Gourmet, LLC, who has a Class "I" Liquor License. Notice was posted on the property on 04-12-2022; Notification was sent to property owners within 500 feet on 04-22-2022 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
19. RES. 2022-0428 – Class C Liquor License for Charlie's on the Lake, Inc., dba "Charlie's on the Lake", 4150 South 144th Street. (This is a new application for an old location). **CHANGE OF STOCKHOLDERS** – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
20. RES. 2022-0429 – Class C Liquor License for Kano, L.L.C., dba "Mootz", 8725 Shamrock Road. (This is a new application for a new location). Notice was posted on the property on 04-13-2022; Notification was sent to property owners within 500 feet on 04-22-2022 – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
- A. Communication from Planning Department – [see attached](#).
21. RES. 2022-0430 – Class D Liquor License for DAMK LLC, dba "Vinton Street Tobacco", 1602 Vinton Street. (This is a new application for an old location). Present licensee is California Union, LLC, who has a Class "D" Liquor License – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**

22. RES. 2022-0431 – Liquor License Change of Location Application – Compass Group USA, Inc., dba “Kiewit Café”, 3555 Farnam Street, request permission for a Change of Location of the present Class “CK” Liquor License to be located at 1450 Mike Fahey Street. (Notice was posted on the property on 04-12-2022; Notification was sent to property owners within 500 feet on 04-22-2022) – [see attached](#). **(PUBLIC HEARING AND VOTE TODAY)**
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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 hearings on Agenda Items 23 through 42 are today. If you wish to address the City Council regarding these items, please come to the microphone, indicate the Agenda Item Number you wish to address, identify yourself by your name, address, who you represent, and if you are a proponent or opponent.)

CONSENT AGENDA – RESOLUTIONS

23. RES. 2022-0432 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to MD Solutions, in the amount of \$75,758.00, for the purchase of Galvanized U-Posts to be utilized by the Traffic Division. (The Finance Department is authorized to pay the cost of this purchase from the Street Allocation Fund 12131, Traffic Control Signs Organization 116188, year 2022 expenditure.) – [see attached](#).
24. RES. 2022-0433 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Jensen Gardens, Inc., in the amount of \$26,950.00, for the procurement of 2022 Gilmore-Sarpy Ave. Green Infrastructure Maintenance Services to be utilized by the Environmental Quality Control Division. (The Finance Department is authorized to pay the cost of this procurement from the Sewer Revenue Fund 21121, Combined Sewer Overflow & Stormwater Program Organization 116714.) – [see attached](#).
25. RES. 2022-0434 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Jensen Gardens, Inc., in the amount of \$26,050.00, for the procurement of 2022 Fontenelle Park Green Infrastructure Maintenance Services to be utilized by the Environmental Quality Control Division. (The Finance Department is authorized to pay the cost of this purchase from the Sewer Revenue Fund 21121, Combined Sewer Overflow & Stormwater Program Organization 116714.) – [see attached](#).

26. RES. 2022-0435 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Jensen Gardens, Inc., in the amount of \$20,350.00, for the procurement of 2022 Hell Creek Green Infrastructure Maintenance Services to be utilized by the Environmental Quality Control Division. (The Finance Department is authorized to pay the cost of this procurement from the Storm Water Fee Revenue Fund 12128, Storm Water Management Organization 116312, year 2022 funding.) – [see attached](#).
27. RES. 2022-0436 – Res. that, as recommended by the Mayor, the Purchasing Agent be authorized to issue a Purchase Order to Bobcat of Omaha, in the amount of \$441,056.00, for the purchase of one (1) S740 Bobcat Skid Steer Loader and four (4) E60 Bobcat Compact Excavators, to be utilized by the Street Maintenance Division. (The Finance Department is authorized to pay the cost of this purchase from the Street Allocation Fund 12131, Pavement Maintenance Organization 116158, year 2022 funding.) – [see attached](#).
28. RES. 2022-0437 – Res. that, as recommended by the Mayor, the Professional Services Agreement with CNC Surveying LLC, in the amount of \$65,700.00, to provide professional engineering services on OPW 54141, being the Signal Infrastructure Phase D2 Project, is hereby approved. (The Finance Department is authorized to pay a fee not to exceed \$65,700.00, from the 2018 Transportation Bond Fund 13185, Transportation Bonds Organization 117117.) – [see attached](#).
29. RES. 2022-0438 – Res. that, Councilmembers Danny Begley, Juanita Johnson, and Vinny Palermo shall assess damages, if any, to owners and parties affected by the vacation of 13,346 square feet of North 39th Street and 5,228 square feet of an alley adjacent to Lots 6 to 10 and south 25 feet of Lot 5, Block 4, Kilby Place Addition in the City of Omaha, Douglas County, Nebraska, as shown in Exhibit A; and that, said committee shall give reasonable notice to the owners and parties interested in the property affected by such vacation – [see attached](#).
30. RES. 2022-0439 – Res. that, the Declaration of Use, formally dedicating a portion of the northwest corner of 2303 S 24th Street, for use as a Permanent Traffic Signal Easement better 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](#).
31. RES. 2022-0440 – Res. that, the Declaration of Use, formally dedicating a portion of the northeast corner of 4702 South 25th Street, for use as a Permanent Traffic Signal Easement better 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](#).
32. RES. 2022-0441 – Res. that, the Declaration of Use, formally dedicating portions of the west side of 4825 and 4831 South 13th Street, for use as a Permanent Traffic Signal Easement better 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](#).

33. RES. 2022-0442 – Res. that, as recommended by the Mayor, the amended Professional Services Agreement with RDG Planning & Design, Inc., for the creation of the Affordable Housing Action Plan, the 2024-2028 Consolidated Plan, and the Analysis of Impediments to Fair Housing Choice, in the amount not to exceed \$233,461.00 for January 1, 2022 through December 31, 2022 is hereby approved. (Funds shall be payable from FY 2022 General Fund, Fund No. 11111, Administration Organization No. 109031 in the amount of \$110,121.00, and FY 2022 CDBG Fund, Fund No. 12186, Administration Organization No. 128072 in the amount of \$102,340.00, and the remaining amount of \$21,000.00 provided by Douglas County.) – [see attached](#).
34. RES. 2022-0443 – Res. that, as recommended by the Mayor, Amendment No. 1 to the Agreement between the City of Omaha and MAACH, in the total amount of \$11,167,861.19 for MACCH to administer and distribute ERAP funds to assist Omaha citizens with rental and utility assistance due to the COVID-19 pandemic, is hereby approved. (The Finance Department is authorized to pay the total amount of \$11,167,861.19 from Fund No. 12162, Organization No. 130812.) – [see attached](#).
35. RES. 2022-0444 – Res. that, the nomination of “Nick Nolte Lane” as a commemorative street name on 56th Street from Grant Street to Erskine Street is hereby approved; and the Public Works Department is authorized to erect the acceptable sign(s) therefore, in compliance with all applicable local and state statutes, ordinances or regulations, and policies with all costs to be borne by the applicant – [see attached](#).
36. RES. 2022-0445 – Res. that, the nomination of “John Beasley Street” as a commemorative street name on 30th Street from Lake Street to Grant Street is hereby approved; and the Public Works Department is authorized to erect the acceptable sign(s) therefore, in compliance with all applicable local and state statutes, ordinances or regulations, and policies with all costs to be borne by the applicant – [see attached](#).
37. RES. 2022-0446 – Res. that, as recommended by the Mayor, the bid in the total amount of \$437,940.00 from Heimes Corp. to replace main waterline and caretaker branch line, which was damaged due to the March 2019 flood event, at N.P. Dodge Park, is hereby accepted. (The Finance Department is authorized to pay the Funds in the amount of \$437,940.0 to Heimes Corp. from the 2018 Parks and Recreation Fund 13357, Organization No. 117317, Parks and Cultures Bonds, Project I.D. No. 2000P505, the City of Omaha will be reimbursed (\$359,915.00) by Federal Emergency Management Agency (FEMA).) – [see attached](#).
38. RES. 2022-0447 – Res. that, as recommended by the Mayor, in accordance with Section 5.16 of the Home Rule Charter of the City of Omaha, 1956, Omaha Public Library is hereby authorized to purchase unique or non-competitive articles or services from LinkedIn Corporation in an amount not to exceed \$26,125.00 for the annual subscription of LinkedIn Learning Library for a one-year term beginning March 25, 2022 and ending on March 24, 2023. (The Finance Department is authorized to pay \$26,125.00 for the cost of purchases from the 2022 General Fund 11111, Organization 117016.) – [see attached](#).

39. RES. 2022-0448 – Res. that, as recommended by the Mayor, in accordance with Section 5.16 of the Home Rule Charter of the City of Omaha, 1956, Omaha Public Library is hereby authorized to purchase unique or non-competitive articles or services from Library Ideas, LLC in an amount not to exceed \$59,377.50 for the annual subscription of Freegal Music and Streaming for a one-year term beginning March 21, 2022 and ending on March 20, 2023. (The Finance Department is authorized to pay \$59,377.50 for the cost of purchases from the 2022 General Fund 11111, Organization 117016.) – [see attached](#).
40. RES. 2022-0449 – Res. that, as recommended by the Mayor, the bid of Safeware, Inc. in the amount of \$29,184.91, which represents the bid for gas masks, filters, and companion equipment for the Omaha Police Department, being the lowest bid received within bid specifications, is hereby accepted and the same hereby approved; such approval being given by the City of Omaha as specified by the \$456,726.00 FY 2021 State Homeland Security Program Grant #EMW-2021-SS-00084, approved by City Council December 14, 2021, Ordinance #42790, Grant period September 1, 2021 through August 3, 2024. (The Finance Department of the City of Omaha is authorized to pay the cost of the gas masks, filters, and companion equipment from Fiscal Year 2022, Fund 12151, Organization 130762, Account 46617 Safety Equipment.) – [see attached](#).
41. RES. 2022-0450 – Res. that, the reappointment by Mayor Jean Stothert of Thomas O. Kelley to be a member of MECA's Board of Directors to serve a term effective May 10, 2021 and expiring May 9, 2027 be and hereby is confirmed and approved – [see attached](#).
42. RES. 2022-0451 – Res. that, the Mayor is authorized to execute (46) Agreements, each Agreement being with a hotel that applied for and qualified for assistance under ARPA. (The Finance Department is authorized to pay an amount not to exceed \$4,489,600.00 from the City's allotment of ARPA funds, Fiscal Year 2022, Fund 17115 (COVID Relief), Organization 115951 (Partner Relations).) – [see attached](#).

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

ORDINANCES ON SECOND READING

43. 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](#). **(PUBLIC HEARING TODAY)**
- A. Communication in opposition – [see attached](#).

44. 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](#). **(PUBLIC HEARING TODAY)**
45. 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](#). **(PUBLIC HEARING TODAY)**
46. 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](#). **(PUBLIC HEARING TODAY)**
47. 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](#). **(PUBLIC HEARING TODAY)**

NON-ACTION ITEMS

(Items 48 through 62 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)

FOXLEY INDUSTRIAL PARK REPLAT FIVE

48. 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 Neppl, 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](#).

49. 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 48)**

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

FLINN SUBDIVISION ONE

50. 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](#).

51. 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 50)**

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

GROVE RIDGE

52. 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](#).
53. 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](#).
54. 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 52-53)**
- A. Planning Board and Planning Department recommend approval – [see attached](#).
55. 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 52-53)**

PLANNING ORDINANCE ON SECOND READING WITH PLANNING BOARD ATTACHMENT

56. 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

57. 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

58. 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

59. ORD. 42953 – An ordinance declaring the necessity of acquiring, for use by the City of Omaha, the necessary private property for the purpose of constructing the Copper Creek Interceptor Sewer Repair, project identified as OPW 53698; providing that the City negotiate with the property owners for land acquisition, permanent easements and temporary construction easements, providing that if said parcel cannot be obtained by negotiation, condemnation proceedings be undertaken and completed – **(First Reading May 3, 2022; Second Reading and Public Hearing May 10, 2022; Third Reading May 17, 2022)** – [see attached](#).
60. SPECIAL ORD. 10317 – An ordinance levying a special tax assessment for litter removal in accordance with Sections 18-21 through 18-30 of the Omaha Municipal Code on certain lots in the City of Omaha - Group 2022-04 – **(First Reading May 3, 2022; Second Reading and Public Hearing May 10, 2022; Third Reading May 17, 2022)** – [see attached](#).

61. SPECIAL ORD. 10318 – An ordinance levying a special tax assessment for cutting and clearing weeds, grass and worthless vegetation in accordance with Sections 18-21 through 18-30 of the Omaha Municipal Code on certain lots in the City of Omaha – Group 2022-05 – (**First Reading May 3, 2022**; Second Reading and Public Hearing May 10, 2022; Third Reading May 17, 2022) – [see attached](#).
62. ORD. 42952 – An ordinance approving a Redevelopment Agreement by and between the City of Omaha, Mutual of Omaha Insurance Company, Inc., Lanoha DT 1, LLC, and PB LREC, LLC for the sale by the City, and redevelopment by Mutual of Omaha, of the property generally located at 215 South 15th Street and additional property generally located between 13th and 14th Streets and Farnam and Harney Streets, in the City of Omaha, Douglas County, Nebraska, and all adjacent public rights-of-way; the acquisition, lease, and maintenance of various parking facilities in downtown and midtown Omaha; and which authorizes the use of up to \$68,614,696.00, plus accrued interest, in excess ad valorem taxes generated by the redevelopment project – (**First Reading May 3, 2022**; Second Reading and Public Hearing May 10, 2022; Third Reading May 17, 2022) – [see attached](#).

EXECUTIVE SESSION

63. 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 to request a copy of the required form if arrangements need to be made.



**CITY OF OMAHA
CITY COUNCIL PRE-COUNCIL MEETING AGENDA
TUESDAY, MAY 3, 2022**

ROSKENS ROOM @ 10:30 A.M.
Omaha/Douglas Civic Center
1819 Farnam Street, Omaha, NE 68183
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 29, 2022, notice of the Pre-Council and Regular City Council Meetings, May 3, 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

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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.