THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, FEBRUARY 28, 2011 AT 5:30 P.M.

The Meeting was called to order at 5:30 p.m. Present: Council Chair Spatz; Council Members: Camp, Carroll, Cook, Emery, Hornung, Snyder; City Clerk, Joan E. Ross.

Council Chair Spatz announced that a copy of the Open Meetings Law is posted at the back of the Chamber by the northwest door. He asked all present to stand and recite the Pledge of Allegiance and observe a moment of silent meditation.

READING OF THE MINUTES

Having been appointed to read the minutes of the City Council proceedings of February 14 reported having done so, found same correct.

Seconded by Camp & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

PUBLIC HEARING

APPLICATION OF TWO TWINS INC. DBA TWO TWINS CAFÉ FOR A CLASS C LIQUOR LICENSE AT 333 NORTH COTNER BLVD. #1

MANAGER APPLICATION OF DENISE A. KORINEK FOR TWO TWINS INC. DBA TWO TWINS CAFÉ AT 333 NORTH COTNER BLVD. #1 - Denise Korinek and Kimberly Smith, 5310 Stockwell, took the oath. Denise stated they are going to launch a dinner service on Thursday, Friday, and Saturdays nights and want to be able to serve beer and wine to their lunch and dinner customers.

This matter was taken under advisement.

CREATING A BUSINESS IMPROVEMENT DISTRICT FOR THE MAINTENANCE, REPAIR AND RECONSTRUCTION OF CERTAIN PUBLIC FACILITIES AND IMPROVEMENTS WITHIN THE AREA OF SOUTH STREET FROM THE ALLEY WEST OF 9TH STREET EAST TO 19TH STREET AND PROVIDING FOR SPECIAL ASSESSMENTS TO BE IMPOSED WITHIN THE DISTRICT - David Landis, Director of Urban Development, stated an ordinance is needed as well as the resolution that was adopted. The work in the South Street area was done last year. Snow removal provisions and sidewalk maintenance has been removed from the documents and the responsibility of maintaining the irrigation pipe under the waterbeds has been clarified. The redevelopment of the intersection at 14th Street has reduced the number of accidents at that location. This is not a uniform agreement as to the existence of the South Street Business District. They met with the opponents who suggested how to cut back or improve the program which the City responded as best they could to legitimate claims made. One of the suggestions was to drop the maximum charge from $14,000 to $13,000 which they did. A notice of the hearing on the BID was sent to the property owners in the area. They were reminded of the rule of a written protest to be presented before the close of this hearing. Photographs of the improvements in the South Street area were shown.

This matter was taken under advisement.

ASSESSING EXPENSE INCURRED BY THE CITY FOR DEMOLITION AND REMOVAL OF A DANGEROUS BUILDING AGAINST THE PROPERTY GENERALLY LOCATED AT 1237 NORTH 21ST STREET - Chris Connolly, Assistant City Attorney, came forward to answer questions. John Boies, Building & Safety Dept., was available for questions as well.

This matter was taken under advisement.

APPROVING A LICENSE AGREEMENT BETWEEN THE CITY OF LINCOLN AND B&J PARTNERSHIP, LTD. TO MODIFY AND EXTEND THE TEMPORARY LEASE OF SPACE AT 531 WESTGATE BOULEVARD BY THE PUBLIC WORKS & UTILITIES DEPARTMENT FOR ITS ENGINEERING SERVICES TEST LAB - Tim Pratt, Public Works & Utilities Dept., stated the Engineering Services Test Lab will remain at the Westgate facility for a minimum of two months or a maximum of twelve months depending on the completion of the lab facility at the Experian building. The Test Lab is in the process of doing soil testing and concrete testing for projects, so didn’t want to relocate to a temporary location. It is critical to keep the lab running. Re-certification is necessary after each move so minimizing the moves is important. Rent at Westgate is $4,900 per month which includes utilities and the cost to construct a temporary site would be $70,000 to $100,000 the same cost for construction at the Experian building. The move will take approximately 7 to 10 days at an approximate cost of $1,200.

This matter was taken under advisement.

APPROVING A CONTRACT AGREEMENT BETWEEN THE CITY, LANCASTER COUNTY AND PHYSICIAN SALES & SERVICE FOR THE ANNUAL SUPPLY OF MEDICAL EQUIPMENT AND SUPPLIES TO BE USED BY VARIOUS CITY DEPARTMENTS, PURSUANT TO BID NO. 10-220, FOR A FOUR YEAR TERM EFFECTIVE UPON EXECUTION BY ALL THE PARTIES. THE ESTIMATED ONE YEAR COST IS $155,508.62 ($622,034.48 FOR FOUR YEARS) WITH 70% BEING USED BY THE CITY ($210,856.04 PER YEAR) AND THE REMAINING 30% BEING USED BY THE COUNTY;

APPROVING A CONTRACT AGREEMENT BETWEEN THE CITY, LANCASTER COUNTY AND LIFE-ASSIST FOR THE ANNUAL SUPPLY OF MEDICAL EQUIPMENT AND SUPPLIES TO BE USED BY VARIOUS CITY DEPARTMENTS, PURSUANT TO BID NO. 10-292, FOR A FOUR YEAR TERM EFFECTIVE UPON EXECUTION BY ALL THE PARTIES. THE ESTIMATED ONE YEAR COST IS $26,187.00 ($104,748.00 FOR FOUR YEARS) WITH 70% BEING USED BY THE CITY ($18,330.90 PER YEAR) AND THE REMAINING 30% BEING USED BY THE COUNTY - Vince Mejer, City-County Purchasing Agent, came forward to answer questions.
Jayne Snyder, Council Member, questioned two items in the agreement she said were not medical supplies. She would talk to the Health Department about this.

Mr. Mejer stated that it varies what the needs are and in this case it was considered these items were necessary. This matter was taken under advisement.

COUNCIL ACTION

REPORTS OF CITY OFFICERS

CLERK’S LETTER AND MAYOR’S APPROVAL OF ORDINANCES AND RESOLUTIONS PASSED BY COUNCIL ON FEBRUARY 7, 2011 - CLERK presented said report which was placed on file in the Office of the City Clerk.

CLERK’S LETTER AND MAYOR’S APPROVAL OF ORDINANCES AND RESOLUTIONS PASSED BY COUNCIL ON FEBRUARY 14, 2011 - CLERK presented said report which was placed on file in the Office of the City Clerk.

REPORT FROM CITY TREASURER OF ES11 OCCUPATION TAX FOR THE MONTHS JULY - SEPTEMBER, 2010: TWC DIGITAL PHONE; OCTOBER, 2010: AIRESPRING INC.; NOVEMBER, 2010: BUDGET PREPAY, VONAGE AMERICA, LEVEL 3, TWC DIGITAL, GRANITE, QWEST; DECEMBER, 2010: BUDGET PREPAY, VONAGE, NETWORKS, CHARTER FIBERLINK-NE. - CLERK presented said report which was placed on file in the Office of the City Clerk.

REPORT FROM CITY TREASURER OF FRANCHISE TAX FOR THE MONTH OF NOVEMBER & DECEMBER, 2010 FROM BLACK HILLS/NEBRASKA GAS UTILITY CO., LLC - CLERK presented said report which was placed on file in the Office of the City Clerk.

PETITIONS & COMMUNICATIONS

PLACED ON FILE IN THE CITY CLERK OFFICE:

Waiver No. 10030 to Administrative Final Plat No. 02061, approved by the Planning Director on February 10, 2011, by Dial-Salt Creek, L.P., to extend the time for two years to install paving and removal of temporary turnaround for Salt Creek Center 1st Addition. The improvements shall be completed by February 10, 2013. Property is generally located south of Interstate 80 at N. 23rd St. and Husker Circle.

REFERRED TO THE PLANNING DEPT.:

CHANGE OF ZONE NO. 11005, requested by Bob Stephens, from R-2 Residential District to R-4 Residential District, on property generally located at SW 8th Street and Hanneman Drive.

SPECIAL PERMIT NO. 11001, HiMark East, requested by Olsson Associates, for a Community Unit Plan and a recreation facility consisting of up to approximately 5 single family acreage lots and a 9 hole golf course with a pro shop and on-sale alcohol, on property generally located at S. 98th Street and Old Cheney Road. The Planning Commission action is final action, unless appealed to the City Council.

SPECIAL PERMIT NO. 11002, HiMark West, requested by Olsson Associates, for a Community Unit Plan and a recreation facility consisting of up to approximately 5 single family acreage lots and a 9 hole golf course with a pro shop and on-sale alcohol, on property generally located at S. 98th Street and Old Cheney Road. The Planning Commission action is final action, unless appealed to the City Council.

SPECIAL PERMIT NO. 11003, requested by the Director of Planning on behalf of the City of Lincoln, to construct an approximately 165 foot tall broadcast tower, on property generally located at N. 70th Street and Cuming Street. The Planning Commission action is final action, unless appealed to the City Council.

SETTING THE HEARING DATE OF MONDAY, MARCH 7, 2011 AT 3:00 P.M. FOR THE APPLICATION OF GRAYSON, INC. DBA 501 WEST LINCOLN BAR & GRILL FOR A CLASS I LIQUOR LICENSE LOCATED AT 501 WEST A STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Mon., March 7, 2011 at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE, for Application of Grayson, Inc. dba West Lincoln Bar & Grill for a Class I liquor license located at 501 West A Street. If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jon Camp
Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAY: None.

MISCELLANEOUS - NONE
LIQUOR RESOLUTIONS

APPLICATION OF TWO TWINS INC. DBA TWO TWINS CAFÉ FOR A CLASS C LIQUOR LICENSE AT 333 NORTH COTNER BLVD. #1 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of TwoTwins, Inc. dba TwoTwins Café for a Class "C" liquor license at 333 North Cotner Blvd., #1, Lincoln, Nebraska, for the license period ending October 31, 2011, be approved with the condition that the premise complies in every respect with all city and state regulations.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp
Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

MANAGER APPLICATION OF DENISE A. KORINEK FOR TWO TWINS INC. DBA TWO TWINS CAFÉ AT 333 NORTH COTNER BLVD. #1 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

WHEREAS, TwoTwins, Inc. dba TwoTwins Café located at 333 North Cotner Blvd., #1, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that Denise A. Korinek be named manager;

WHEREAS, Denise A. Korinek appears to be a fit and proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Denise A. Korinek be approved as manager of this business for said licensee. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp
Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

PUBLIC HEARING - ORDINANCES - 2ND READING & RELATED RESOLUTIONS (as required)

CREATING A BUSINESS IMPROVEMENT DISTRICT FOR THE MAINTENANCE, REPAIR AND RECONSTRUCTION OF CERTAIN PUBLIC FACILITIES AND IMPROVEMENTS WITHIN THE AREA OF SOUTH STREET FROM THE ALLEY WEST OF 9TH STREET EAST TO 19TH STREET AND PROVIDING FOR SPECIAL ASSESSMENTS TO BE IMPOSED WITHIN THE DISTRICT - CLERK read an ordinance, introduced by Jayne Snyder, creating a business improvement district under the authority of the Business Improvement District Act (Neb. Rev. Stat. § 19-4015 et seq.) to be known as the South Street Business Improvement District for the purpose of providing specified maintenance, repair and reconstruction of certain public facilities and improvements within the area of South Street from the alley west of 9th Street east to 19th Street; providing for special assessments to be imposed within the district based upon the benefits conferred, and providing maximum limits upon such assessments, the second time.

PUBLIC HEARING - RESOLUTIONS

ASSESSING EXPENSE INCURRED BY THE CITY FOR DEMOLITION AND REMOVAL OF A DANGEROUS BUILDING AGAINST THE PROPERTY GENERALLY LOCATED AT 1237 NORTH 21ST STREET - CLERK read the following resolution, introduced by Jayne Snyder, who moved its adoption:

BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That, after hearing held before the City Council, the demolition and utility abandonment expense as shown on the report which is attached hereto as Attachment "A" and made a part of this resolution is hereby assessed against the property indicated in the report, 1237 North 21st Street, and shall constitute a lien against such property until paid. Said assessment shall be delinquent from and after 50 days and draw interest at the rate of 14.00% per annum.

Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

APPROVING A LICENSE AGREEMENT BETWEEN THE CITY OF LINCOLN AND B&J PARTNERSHIP, LTD. TO MODIFY AND EXTEND THE TEMPORARY LEASE OF SPACE AT 531 WESTGATE BOULEVARD BY THE PUBLIC WORKS & UTILITIES DEPARTMENT FOR ITS ENGINEERING SERVICES TEST LAB - CLERK read the following resolution, introduced by Jayne Snyder, who moved its adoption:

BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the License Agreement between the City of Lincoln and B&J Partnership, Ltd. dba Speedway Properties to continue a reduced and partial (Testing Lab) tenancy of the Public Works & Utilities Department at 531 Westgate Blvd. on a month to month basis to a date no later than February 28, 2012, which is attached hereto, marked as Exhibit "A" and made a part hereof by reference, upon the terms and conditions as set forth in the License Agreement, is hereby approved and the Mayor is authorized to execute the same on behalf of the City.
The City Clerk is directed to transmit one executed original Agreement to Roger Figard, Public Works & Utilities Department, for transmittal to B&J Partnership.

Introduced by Jayne Snyder

Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

APPROVING A CONTRACT AGREEMENT BETWEEN THE CITY, LANCASTER COUNTY AND PHYSICIAN SALES & SERVICE FOR THE ANNUAL SUPPLY OF MEDICAL EQUIPMENT AND SUPPLIES TO BE USED BY VARIOUS CITY DEPARTMENTS, PURSUANT TO BID NO. 10-220, FOR A FOUR YEAR TERM EFFECTIVE UPON EXECUTION BY ALL THE PARTIES. THE ESTIMATED ONE YEAR COST IS $155,508.62 ($622,034.48 FOR FOUR YEARS) WITH 70% BEING USED BY THE CITY ($108,856.04 PER YEAR) AND THE REMAINING 30% BEING USED BY THE COUNTY - CLERK read the following resolution, introduced by Jayne Snyder, who moved its adoption:

A-86250

BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the Contract Agreement between the City of Lincoln, Lancaster County and Physician Sales & Service for the annual supply of Medical Equipment and Supplies for use by various departments, pursuant to Bid No. 10-220, for a four-year term effective upon execution by both parties, upon the terms and conditions as set forth in said Contract Agreement, is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

Introduced by Jayne Snyder

Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

APPROVING A CONTRACT AGREEMENT BETWEEN THE CITY, LANCASTER COUNTY AND LIFE-ASSIST FOR THE ANNUAL SUPPLY OF MEDICAL EQUIPMENT AND SUPPLIES TO BE USED BY VARIOUS CITY DEPARTMENTS, PURSUANT TO BID NO. 10-220, FOR A FOUR YEAR TERM EFFECTIVE UPON EXECUTION BY ALL THE PARTIES. THE ESTIMATED ONE YEAR COST IS $26,187.00 ($104,748.00 FOR FOUR YEARS) WITH 70% BEING USED BY THE CITY ($18,330.90 PER YEAR) AND THE REMAINING 30% BEING USED BY THE COUNTY - CLERK read the following resolution, introduced by Jayne Snyder, who moved its adoption:

A-86251

BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the Contract Agreement between the City of Lincoln, Lancaster County and Life-Assist for the annual supply of Medical Equipment and Supplies for use by various departments, pursuant to Bid No. 10-220, for a four-year term effective upon execution by both parties, upon the terms and conditions as set forth in said Contract Agreement, is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

Introduced by Jayne Snyder

Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

ORDINANCE - 1ST READING & RELATED RESOLUTIONS (as required)

ANNEXATION NO. 11001 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 47 ACRES OF LAND GENERALLY LOCATED AT SOUTH 63RD STREET AND PINE LAKE ROAD. (RELATED ITEMS: 11-20, 11-21) - CLERK read an ordinance, introduced by Jon Camp, amending the Lincoln Corporate Limits Map by annexing approximately 47 acres of land generally located at South 63rd Street and Pine Lake Road, the first time.

CHANGE OF ZONE NO. 04075B - APPLICATION OF VILLAGE GARDENS DEVELOPMENT COMPANY LLC FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT ON APPROXIMATELY 47 ACRES OF LAND GENERALLY LOCATED AT SOUTH 63RD STREET AND PINE LAKE ROAD. (RELATED ITEMS: 11-20, 11-21) - CLERK read an ordinance, introduced by Jon Camp, amending the zoning ordinances to allow approximately 220 additional dwelling units and a domiciliary care facility in the underlying R-3 zoned area. (RELATED ITEMS: 11-20, 11-21) - CLERK read an ordinance, introduced by Jon Camp, amending the Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the first time.

CHANGE OF ZONE NO. 06063A - APPLICATION OF NORTH 47 GROUP, LLC TO AMEND THE NORTH PORTY PLAZA PLANNED UNIT DEVELOPMENT TO ALLOW A POLE SIGN IN THE FRONT YARD SETBACK OF NORTH 84TH STREET, WITH A HEIGHT OF UP TO 18 FEET TALL AND AN AREA OF 100 SQUARE FEET, INCLUDING AN 80 SQUARE FOOT ELECTRONIC CHANGEABLE MESSAGE BOARD, ON PROPERTY GENERALLY LOCATED AT NORTH 84TH STREET AND ADAMS STREET - CLERK read an ordinance, introduced by Jon Camp, amending the development plan for the North Forty Plaza Planned Unit Development to allow a center sign in the front yard setback of North 84th Street, with a height of up to 18 feet and an area of 100 square feet, including an 80 square foot electronic changeable message board on property generally located at North 84th Street and Adams Street, the first time.

VACATION NO. 10004 - VACATING SUMNER STREET FROM JEFFERSON STREET TO MEMORIAL DRIVE, GENERALLY LOCATED ON THE WEST SIDE OF ANTELOPE PARK EAST OF JEFFERSON AVENUE AND SOUTH OF GARFIELD STREET - CLERK read an ordinance, introduced by Jon Camp, vacating a portion of Sumner Street from Jefferson Street to Memorial Drive, generally located on the west side of Antelope Park east of Jefferson Avenue and south of Garfield Street, and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the first time.
AMENDING CHAPTER 8.32 OF THE LINCOLN MUNICIPAL CODE RELATING TO SOLID WASTES BY ADDING A NEW SECTION 8.32.060 TO DELETE LANGUAGE FOUND WITHIN THE PROVISIONS REGARDING THE HOURS OF OPERATION OF PUBLIC SANITARY LANDFILLS; AMENDING SECTION 8.32.070 RELATING TO PROHIBITED ACTIVITIES IN SANITARY LANDFILLS TO REFERENCE THE CHANGE TO 8.32.060 REGARDING THE HOURS OF OPERATION AND REPEALING SECTIONS 8.32.060 AND 8.32.070 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Jon Camp, amending Chapter 8.32 of the Lincoln Municipal Code relating to solid wastes by amending Section 8.32.060 to delete language setting forth the hours of operation of public sanitary landfills; amending Section 8.32.070 relating to prohibited activities in sanitary landfills to reference the change to 8.32.060 regarding the hours of operation; and repealing Sections 8.32.060 and 8.32.070 of the Lincoln Municipal Code as hitherto existing, the first time.

APPROVING AN ADOPTION AGREEMENT RELATING TO THE RETIREMENT PLAN FOR UNCLASSIFIED DEPARTMENT HEADS PURSUANT TO ARTICLE II, SECTION 3 OF THE CHARTER OF THE CITY OF LINCOLN TO PROVIDE THAT THE EMPLOYER CONTRIBUTIONS SHALL BE 9% OF AN EMPLOYEE’S COMPENSATION AND TO PROVIDE THAT EMPLOYER CONTRIBUTION SHALL BE 7% OF THE EMPLOYEE’S COMPENSATION FOR EMPLOYEES HIRED ON OR AFTER APRIL 1, 2011 - PRIOR to reading

CAMP Moved to place Bill No. 11-25 on Pending for two weeks with First Reading on March 14, 2011 and Public Hearing on March 21, 2011.

Seconded by CARROLL Stated he prefers to delay Bill No. 11-25 for two weeks with Public Hearing on March 14, 2011. No action taken

First Reading was Suspended.

ADOPTING AMENDMENT NO. 1 TO THE CITY OF LINCOLN RETIREMENT PLAN TO PROVIDE 9% EMPLOYER CONTRIBUTIONS AND 7% EMPLOYEE CONTRIBUTIONS FOR EMPLOYEES IN POSITIONS AND PAY RANGES PREFIXED BY “E” AND “X” HIRED ON OR AFTER APRIL 1, 2011 - CLERK read an ordinance, introduced by Jon Camp, amending Amendment No. 1 to the City of Lincoln Employees’ Retirement Plan to provide that the employer contribution for employees hired in positions and pay ranges prefixed by the letters “E” and “X” on or after April 1, 2011 will be an amount equal to 9% of an employee’s compensation; and to further provide that the mandatory employee contribution for employees hired in positions and pay ranges prefixed by the letters “E” and “X” on or after April 1, 2011 will be in an amount equal to 7% of an employee’s compensation, the first time.

ORDINANCES - 3RD READING & RELATED RESOLUTIONS (as required)

APPROVING AMENDMENT NO. 1 TO THE NORTHBANK JUNCTION CONDITIONAL ANNEXATION AND ZONING AGREEMENT BETWEEN ROGER H. SCHWISOW, ELDONNA SCHWISOW, HARTLAND HOMES, INC., AND THE CITY OF LINCOLN TO AMEND THE TERMS OF THE AGREEMENT WITH RESPECT TO DEVELOPMENT OF PROPERTY GENERALLY LOCATED AT NORTH 56TH STREET AND ALVO ROAD PRIOR TO THE PREPARATION AND SUBMITTAL OF A TRAFFIC STUDY. (RELATED ITEMS: 11R-41, 11-15) (ACTION DATE: 2/28/11) - CLERK read the following resolution, introduced by Adam Hornung, who moved its adoption:

BE IT RESOLVED that the agreement titled Amendment No. 1 to the Northbank Junction Conditional Annexation and Zoning Agreement, which is attached hereto, marked as Attachment “A” and made a part hereof by reference, between Roger H. Schwisow, Eldonna Schwisow, Hartland Homes, Inc. and the City of Lincoln, Nebraska, with respect to development of property generally located at North 56th Street and Alvo Road prior to the preparation and submittal of a traffic study, is approved and the Mayor is authorized to execute the Amendment No. 1 to the Northbank Junction Conditional Annexation and Zoning Agreement on behalf of the City.

BE IT FURTHER RESOLVED that the City Clerk is directed to return one fully executed copy of this Agreement to the Planning Department, for distribution to the Owners.

BE IT FURTHER RESOLVED that the City Clerk is directed to record the Annexation Agreement or a summary memorandum thereof with the Register of Deeds, filing fees to be paid by the Owner.

BE IT FURTHER RESOLVED that the City Clerk is directed to forward a copy of this Agreement to Michaela Dugan, Impact Fee Administrator. Introduce by Adam Hornung

Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

CHANGE OF ZONE 10027 - APPLICATION OF HARTLAND HOMES FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO H-4 GENERAL COMMERCIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT NORTH 54TH STREET AND ALVO ROAD. (RELATED ITEMS: 11R-41, 11-15) (ACTION DATE: 2/28/11) - CLERK read an ordinance, introduced by Adam Hornung, amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the third time.

HORNUNG Moved to pass the ordinance as read.

Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

The ordinance, being numbered #19501, is recorded in Ordinance Book #27, Page...
ADOPTING THE SUPPLEMENTS TO THE LINCOLN MUNICIPAL CODE DATED JUNE 2010 AND DECEMBER 2010 AS PART OF THE OFFICIAL LINCOLN MUNICIPAL CODE - CLERK read an ordinance, introduced by Adam Hornung, adopting the supplements to the Lincoln Municipal Does dated June 2010 and December 2010 as part of the official Lincoln Municipal Code, the second time.

HORNUNG Moved to pass the ordinance as read.
Seconded by Carroll & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.
The ordinance, being numbered #19502, is recorded in Ordinance Book #27, Page  .

OPEN MICROPHONE - NONE

MISCELLANEOUS BUSINESS

PENDING -

CAMP Moved to extend the Pending List to March 7, 2011.
Seconded by Cook & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

UPCOMING RESOLUTIONS

CAMP Moved to approve the resolutions to have Public Hearing on March 7, 2011.
Seconded by Cook & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

ADJOURNMENT 5:54 P.M.

CAMP Moved to adjourn the City Council meeting of February 28, 2011.
Seconded by Cook & carried by the following vote: AYES: Camp, Carroll, Cook, Emery, Hornung, Snyder, Spatz; NAYS: None.

Joan E. Ross, City Clerk

Judy Roscoe, Senior Office Assistant