

**THE MINUTES OF THE CITY COUNCIL MEETING HELD  
MONDAY, FEBRUARY 10, 2014 AT 3:00 P.M.**

The Meeting was called to order at 3:00 p.m. Present: Council Chair Eskridge; Council Members: Camp, Christensen, Cook, Emery, Fellers, Gaylor Baird; City Clerk, Teresa J. Meier.

Council Chair Eskridge 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**

GAYLOR BAIRD Having been appointed to read the minutes of the City Council proceedings of February 3, 2014, reported having done so, found same correct.

Seconded by Camp & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

**MAYOR'S AWARD OF EXCELLENCE**

Mayor Chris Beutler came forward to present the Mayor's Award of Excellence for the month of January, 2014 to Robert (Bobby) Norton, Police Officer for the Lincoln Police Department (LPD), in the category of Customer Relations. Officer Norton has been with the LPD since 2002 and has worked as a school resource office at Lincoln Southeast High School since 2011, where he was the sole officer for over 2,000 students and staff. Despite his busy schedule, he made an effort to develop personal relationships with those he served. In a letter to Governor Dave Heineman, Southeast student Nate Siefkes noted that Officer Norton became a positive and noticeable presence in their halls, protecting and interacting with students and staff as if they were family.

Nate Siefkes, Southeast High School student, came forward to express additional gratitude to Officer Norton's family for the sacrifices they make.

Jim Peschong, Chief of Police, came forward to state that this award is well deserved. Officer Norton works every single day to provide the highest quality service and he is a great officer. Others admire his work and try to live up to his standards.

Bobby Norton, Lincoln Police Department, came forward to introduce his family and graciously accept his award. He stated students like Nate made his job worthwhile and the most memorable of his career.

Doug Emery, City Council member, expressed gratitude, stating that both Officer Norton and Mr. Siefkes set good examples for our community.

**PUBLIC HEARING**

APPLICATION OF NEBRASKA ENTERTAINMENT INC. DBA LINCOLN GRAND CINEMA FOR A CLASS I LIQUOR LICENSE AT 1101 P ST;

MANAGER APPLICATION OF BRIAN G. SHANDER FOR NEBRASKA ENTERTAINMENT INC. DBA LINCOLN GRAND CINEMA AT 1101 P ST - Tim O'Neill, 800 Lincoln Square, came forward representing Nebraska Entertainment, Inc. and Marcus Theaters, to take the oath and answer questions. He stated Marcus is expanding their food service and part of that expansion includes the sale of alcohol. This concept is growing in popularity and is not new to Nebraska. Marcus has operated three locations in Omaha. They are focused on responsible service and all responsible server training has been, or will be completed. In addition to that, they hold weekly meetings to keep employees informed and they use secret shoppers to make sure those employees stay in compliance. Alcohol is sold at a single point location, identification is required, and customers are only allowed to buy one beverage at a time. All of these measures have worked well at the three Omaha locations and there has not been a single alcohol related incident. Discussion followed.

Brian G. Shander, 4310 N. 163<sup>rd</sup> St., Omaha, came forward to take the oath and answer questions. He has worked in the Omaha theaters for five years. Discussion followed.

Council Chair Eskridge stated that Council would like to delay these items so that the Internal Liquor Committee has a chance to meet and discuss related City ordinances.

Jane Kinsey, Watchdogs of Lincoln Government, came forward to take the oath. She stated she is opposed to the sale of alcohol in movie theaters because there is no way to protect minors.

Kit Boesch, Director of Human Services, came forward to take the oath and to state that she is personally and professionally in opposition to the approval of these items. Immense amounts of time and money are spent on preventing alcohol abuse by children. There are already over one hundred liquor licenses near campus. If adults want to drink, they can go to any bar before or after movies. Theaters are one of the few remaining drug free places where kids can go. Discussion followed.

Richard Halvorsen, 6311 Inverness Rd., came forward in opposition.

Tim O'Neill returned to answer questions.

This matter was taken under advisement.

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APPLICATION OF THE GARAGE SPORTS BAR & GRILL INC. DBA THE GARAGE SPORTS BAR AND GRILL TO EXPAND ITS CLASS I LIQUOR LICENSE FOR AN EXPANSION OF THE BEER GARDEN AREA FOR A NEW LICENSED AREA DESCRIBED AS A ONE STORY BUILDING APPROX. 95 FT. BY 102 FT. WITH BEER GARDEN AREA APPROX. 21 FT. BY 64 FT. AT 5551 S. 48TH ST - Heinz Westphal, 5551 S. 48<sup>th</sup> St., came forward as owner to take the oath and answer questions about this expansion.

This matter was taken under advisement.

APPLICATION OF TEMENAY CORP. DBA MUM'S LIQUOR FOR A CLASS D LIQUOR LICENSE AT 2202 O ST;

MANAGER APPLICATION OF FISEHA TESFAZION FOR TEMENAY CORP. DBA MUM'S LIQUOR AT 2202 O ST - Pat O'Brien, 2202 O St., came forward as the new owner of Mum's Liquor to take the oath and answer questions.

Fiseha Tesfazion, 2202 O St., came forward to take the oath and answer questions.

CHANGE OF ZONE NO. 13029 – APPLICATION OF US PROPERTIES FOR A CHANGE OF ZONE FROM AGR AGRICULTURAL RESIDENTIAL DISTRICT TO H-3 HIGHWAY COMMERCIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT EIGER DRIVE AND NEBRASKA HIGHWAY 2. (RELATED ITEMS: 14-15, 14R-48);

SPECIAL PERMIT NO. 13060 – APPLICATION OF SILVER OFFICE - OAKVIEW LLC TO ALLOW A CAMPGROUND FOR 13 CAMP SITES ON PROPERTY GENERALLY LOCATED AT EIGER DRIVE AND NEBRASKA HIGHWAY 2. (RELATED ITEMS: 14-15, 14R-48) - Peter Katt, 1248 O Street, Suite 600, came forward representing Monte and Lisa Froelich, owners of US Properties. He stated his clients have made a commitment to bringing vacant properties and businesses back to life. This parcel of land is blank and has several issues, including lack of access and close proximity to Highway 2. No one has been interested in making necessary improvements here, so it has remained virtually untouched for over forty years. US Properties has proposed two solutions. The first is a temporary, interim use of a campground. The second is a mini-warehouse, a use which would create a minimal increase in traffic and would provide a noise barrier. If these items were placed on pending, it would allow everyone time to contribute ideas and to work out problems. Discussion followed.

Marvin Krout, Director of Planning, came forward to answer to Council questions. He stated that Planning would work with everyone involved to suggest solutions and appropriate plans. Staff did not recommend a commercial use for this parcel and it has never been marketed for residential use. The desire is to encourage continued subdivision and it is difficult to imagine a mini-warehouse that would not detrimentally affect abutting properties. Discussion followed.

Peter Katt returned for rebuttal and to answer Council questions.

This matter was taken under advisement.

REDEDICATION OF VACATED CRESTDALE ROAD AS PUBLIC RIGHT-OF-WAY - Marvin Krout, Director of Planning, came forward to state this portion of road was originally an entrance into this neighborhood. It was later closed for access and became three hundred feet of dead end street that provided access to two properties. In 1974, an inner section of the road was vacated. One of the adjacent properties now has a prospective purchase and this vacation is a cloud over the title since there is technically no access to a dedicated street. Additionally, there is a sidewalk that is utilized as a path to a park and school. Planning and Public Works agreed the best solution was to rededicate this as street right-of-way, which clears any problems on individual properties and allows for maintenance and upkeep.

Doug Koenig, 3433 Woods Ave, came forward to state that he is the prospective buyer of one of the two properties. After title company found the discrepancy, Mr. Koenig contacted Planning Department and they guided him through the process. His family intends to live there for a long time, but would like to clear this up so there is no issue with the future sale of the property.

This matter was taken under advisement.

SPECIAL PERMIT/USE PERMIT NO. 8C – APPLICATION OF A STREET, LLC, TO ALLOW AN APPROXIMATELY 12,400 SQUARE FOOT EXPANSION OF AN EXISTING HEALTH CARE FACILITY AND TO MODIFY THE REQUIRED PARKING RATIO FOR DOCTORS' OFFICES ON PROPERTY GENERALLY LOCATED AT SOUTH 70TH STREET AND A STREET - Dan Rosenthal, REGA Engineering Group, came forward to state that the expansion and the change in the parking ratio are supported by the Planning Department. A resolution was also reached with Prairie Life Fitness Center. Discussion followed.

This matter was taken under advisement.

AMENDING THE SECOND YEAR (2013-14) OF THE SIX YEAR CIP FOR PARKS AND RECREATION DEPARTMENT/WEST ADAMS/CORNHUSKER HIGHWAY AND I-180 CORRIDORS PROJECT TO IDENTIFY AN APPROPRIATION OF \$2.5 MILLION AND CHANGE THE FUNDING SOURCE FROM OTHER FINANCING TO LEASE PURCHASE FUNDING. (RELATED ITEMS: 14R-50, 14R-52);

DECLARING THE OFFICIAL INTENT OF THE CITY OF LINCOLN, NEBRASKA TO REIMBURSE CERTAIN EXPENSES FROM THE PROCEEDS OF CITY OF LINCOLN, NEBRASKA CERTIFICATES OF PARTICIPATION IN CONNECTION WITH ACQUISITION AND INSTALLATION OF MATERIALS AND EQUIPMENT FOR (A) SIDEWALKS, (B) FIBER OPTIC NETWORK INSTALLATIONS AND EXPANSIONS, AND (C) IMPROVEMENTS TO WEST ADAMS/CORNHUSKER HIGHWAY AND I-180 CORRIDOR. (RELATED ITEMS: 14R-50, 14R-52) - Mike Rogers, Gilmore & Bell, came forward to state this resolution would allow the City to begin spending funds now for certain projects, and reimburse itself when Certificate of Participation (COP) financing is completed. The projects covered are sidewalk improvements, certain fiber optic network improvements, and entryway corridor enhancements, the total amount of which will not exceed 7.1 million dollars. The ordinance formally authorizing the financing will come later. The plan is to move forward with one Certificate of Participation issue, combining all of the improvements. Discussion followed.

Scott Keene, Ameritas Investment Corp., was available to answer questions. He stated these Certificates of Participation (COPs) will fit under the existing budget because there is a significant financing from original streetlights that is rolling off. These payments would come from the same sources, mostly property and sales taxes, or essentially the General Fund. The City has issued COPs for the last nine years for various equipment. It makes sense to roll several projects into regular financing as a single unit. Discussion followed.

Miki Esposito, Director of Public Works and Utilities, came forward to state that approximately \$4 million will be dedicated to priority sidewalk repair locations where separations are two inches or greater. There are 1,400 locations so far that have been logged since 1991. The project will also pick up curb ramps, and there is a list of 10,000 identified locations with which are out of ADA compliance. Discussion followed.

Rod Confer, City Attorney, came forward to state that once the City has notice, it may be negligent. That does not necessarily mean all claims would be paid since there are other factors to consider, such as contributory negligence. There are also issues with ADA compliance. Overall, these repairs would reduce the liability of the City.

Thomas Schafer, Public Works and Utilities Department, came forward to show the vast difference in the number of locations the City would be able to repair if use of these funds is approved. Discussion followed.

David Young, Fiber Infrastructure and Right-of-Way Manager, came forward to state that approximately \$600,000 will be used to expand fiber infrastructure, which will have multiple positive impacts on both employment and technological growth, and will generate income for the City. Discussion followed.

Clint Runge, Archival, came forward to state that with all of the positive changes that have been happening in Lincoln, a crucial piece still missing is the first impression. Development is stifled along the entryway corridor, which impacts employee recruitment, incoming residents, and University student recruitment, among other things.

Nicole Fleck-Tooze, Parks and Recreation Department, came forward to outline the changes that could occur along the entryway corridor. The plan includes elements like prairies landscaping, banners and illuminated features, all of which help to welcome visitors and to frame views of the City along the corridor.

Erika Nunes, Public Works and Utilities Department, came forward to state that the concrete along the corridor needs a lot of repair and long term fixes to achieve a polished look. Work would take place between March and October.

David Landis, Director of Urban Development, came forward to state that the market is not moving in this area. There are development opportunities with nice large parcels available for larger projects. If improvements are made, the market might then be encouraged to act. Such a rise occurred in the hospitality industry along the improved corridor in Omaha.

Kyle Fischer, 1135 M St., came forward representing the Lincoln Chamber of Commerce (LCC) in support of the entryway corridor project. LCC routinely brings prospective businesses through Lincoln and the first impression is important.

Terry Uland, President of Downtown Lincoln Association, came forward in support, stating that downtown, and the entire community will benefit from these improvements.

Brad Wilson, Geist Manufacturing, came forward to state that Geist manufactures products for the leading names in hi-tech industries. Many high visibility names visit the factory, and the entryway corridor provides their first impression of Lincoln. When they bring in potential job recruits, entire families are being recruited. Geist is not just selling products to visitors, they are selling Lincoln.

Jack Coogan, 6317 Artisan Way, came forward to state that Zoetis is a relatively new company in Lincoln. They have made a major investment here and it is now the flagship manufacturing facility and employs hundreds of people. The new Board of Directors and other executives will visit. It is critical that this corridor be improved.

Pat Anderson, 1500 S. 11<sup>th</sup> St., Neighborworks, came forward to state that sidewalk improvements area key part of the Neighborhood Plan for Action.

Roland Temme, 7519 San Mateo Lane, President of TMCO Inc., came forward to state that when this plan was presented, it was an easy sale. TMCO owes it to the City to make beautiful markers for the entryway corridor and to make the City proud.

John Dittman, Chairman of Cornhusker Bank, came forward to state that this is a very important beautification project and a \$50,000 contribution has been made.

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Kathy Beecham, 3024 Stratford Ave., came forward with Jacques Runiga. She stated safe sidewalks are critical to citizens who rely on them as a primary way to get around town, and to families enjoying their own neighborhoods.

Jacques Runiga, 650 S. 19<sup>th</sup> St., Apt. 2, came forward to provide his perspective as a visually impaired citizen. He resides in an apartment downtown and safe sidewalks are crucial to him for getting around.

Lynn Johnson, Director of Parks and Recreation, came forward to state these resolutions are two separate actions. One is a clarification of the funding sources, which includes donations and the Certificates of Participation. There will be no increase in the commitment of general tax funds. The other item is approval of a reimbursement resolution which allows the projects to move forward. Discussion followed.

Jane Kinsey, Watchdogs of Lincoln Government, came forward in opposition. She stated that although citizens care about sidewalk repair, the City should not rely on borrowing to pay for these repairs. It seems unnecessary to bundle various items together. The older population will not benefit much from the entryway corridor improvements.

This matter was taken under advisement.

**APPROVING THE PURCHASE OF PROPERTY LOCATED AT SOUTH 29TH AND A STREETS FROM THE LINCOLN PARKS FOUNDATION FOR A PURCHASE PRICE OF \$248,750 WITH A FUNDING SOURCE FROM THE ADVANCE LAND ACQUISITION FUND** - Lynn Johnson, Director of Parks and Recreation, came forward to state that Parks worked with all stakeholders in this area dubbed the Antelope Park Triangle. Due to the many amenities in the area, there has been a significant need for additional parking space. This parcel became available for purchase in 2009 and the Parks Foundation stepped in and served as a land bank. The intent now is to reimburse them using the advance land acquisition funds. Discussion followed.

**APPROVING A CONTRACT AGREEMENT BETWEEN THE CITY OF LINCOLN AND WINDSTREAM COMMUNICATIONS FOR THE ANNUAL REQUIREMENTS FOR INTERNET SERVICE PROVIDER SERVICES, PURSUANT TO BID NO. 14-016, FOR A FOUR YEAR TERM WITH THE OPTION TO RENEW FOR ONE ADDITIONAL FOUR YEAR TERM** - Steve Hendersen, Chief Information Officer, came forward to state this contract is the result of work with Purchasing to identify an internet service provider. The old pricing was \$24/MB for 50MB of service. The new pricing will be \$3/MB for 200MB, which is a five-fold increase at one-eighth the price.

This matter was taken under advisement.

## **COUNCIL ACTION**

**3:08 P.M COOK BRIEFLY EXITED CHAMBERS**

**3:11 P.M. COOK RETURNED TO CHAMBERS**

### **REPORTS OF CITY OFFICERS**

**RESOLUTION LEVYING THE SPECIAL TAXES ASSESSED JANUARY 13, 2014 AND JANUARY 27, 2014, TO PAY FOR THE COSTS OF THE IMPROVEMENTS IN SEWER DISTRICT 1187 AND SIDEWALK DISTRICT 96 - CLERK** read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-88088 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska that:  
The special taxes assessed January 13, 2014 and January 27, 2014, to pay the costs of the improvements in Sewer District 1187 and Sidewalk District 96 are hereby levied and shall bear interest at 5.2442% per annum and that the period of time in which the assessments are to be paid shall be as follows:  
20 years - Sewer District 1187  
5 years - Sidewalk District 96

Introduced by Leirion Gaylor Baird

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None; ABSENT: Cook.

**RESOLUTION APPROVING THE DISTRIBUTION OF FUNDS REPRESENTING INTEREST EARNINGS ON SHORT-TERM INVESTMENTS OF IDLE FUNDS DURING THE MONTH ENDED DECEMBER 31, 2013 - CLERK** read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-88089 BE IT RESOLVED by the City of Lincoln, Nebraska:  
That during the month ended December 31, 2013 \$143,362.24 was earned from the investments of "IDLE FUNDS". The same is hereby distributed to the various funds on a pro-rata basis using the balance of each fund and allocating a portion of the interest on the ratio that such balance bears to the total of all fund balances.

Introduced by Leirion Gaylor Baird

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None; ABSENT: Cook.

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTIONS AND ORDINANCES PASSED BY THE CITY COUNCIL ON JANUARY 27, 2014 - CLERK presented said report which was placed on file in the Office of the City Clerk. (27-1)

**PETITIONS & COMMUNICATIONS**

SETTING THE HEARING DATE OF MONDAY, MARCH 3, 2014 AT 3:00 P.M. FOR THE APPLICATION OF CASEY'S RETAIL COMPANY DBA CASEY'S GENERAL STORE #2720 TO EXPAND FROM APPROXIMATELY 40' X 76' TO APPROXIMATELY 40' TO 88' AT 1001 SOUTH 13<sup>TH</sup> STREET - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-88090 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, March 3, 2014, 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 the Application of Casey's Retail Company dba Casey's General Store #2720 to expand from approximately 40' x 76' to approximately 40' x 88' at 1001 South 13<sup>th</sup> Street.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Leirion Gaylor Baird

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None; ABSENT: Cook.

SETTING THE HEARING DATE OF MONDAY, MARCH 3, 2014 AT 3:00 P.M. FOR THE APPLICATION OF YO JAVA, INC. DBA MO JAVA CAFÉ TO EXPAND FROM APPROXIMATELY 42' X 40' TO APPROXIMATELY 62' X 40' AT 2649 NORTH 48<sup>TH</sup> STREET - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-88091 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, March 3, 2014, 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 the Application of Yo Java, Inc. dba Mo Java Café to expand from approximately 42' x 40' to 62' x 40' at 2649 North 48<sup>th</sup> Street.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Leirion Gaylor Baird

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None; ABSENT: Cook.

SETTING THE HEARING DATE OF MONDAY, MARCH 3, 2014 AT 3:00 P.M. FOR THE MANAGER APPLICATION OF ROGER PATTON IN CONNECTION WITH RISKY'S, INC. DBA RISKY'S SPORT'S BAR & GRILL LOCATED AT 4680 LEIGHTON AVENUE - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-88092 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, March 3, 2014, 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 the Manager Application of Roger Patton in connection with Risky's, Inc. dba Risky's Sports Bar & Grill located at 4680 Leighton Avenue.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Leirion Gaylor Baird

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None; ABSENT: Cook.

APPLICATION OF JILLIAN CARTER IN CONNECTION WITH GREENFIELD'S DBA GREENFIELD'S LOCATED AT 7900 SOUTH 87<sup>TH</sup> STREET - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-88093 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, March 3, 2014, 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 the Manager Application of Jillian Carter in connection with Greenfield's dba Greenfield's located at 7900 South 87<sup>th</sup> Street.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Leirion Gaylor Baird

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None; ABSENT: Cook.

LIQUOR RESOLUTIONS

APPLICATION OF NEBRASKA ENTERTAINMENT INC. DBA LINCOLN GRAND CINEMA FOR A CLASS I LIQUOR LICENSE AT 1101 P ST - PRIOR to reading:

EMERY Moved to Delay Action with continued Public Hearing the application of Nebraska Entertainment Inc. dba Lincoln Grand Cinema for a Class I liquor license three weeks to March 3, 2014.  
Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

MANAGER APPLICATION OF BRIAN G. SHANDER FOR NEBRASKA ENTERTAINMENT INC. DBA LINCOLN GRAND CINEMA AT 1101 P ST - PRIOR to reading:

EMERY Moved to Delay Action with continued Public Hearing the Manager Application of Brian G. Shander in connection with Nebraska Entertainment Inc. dba Lincoln Grand Cinema three weeks to March 3, 2014.  
Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

APPLICATION OF THE GARAGE SPORTS BAR & GRILL INC. DBA THE GARAGE SPORTS BAR AND GRILL TO EXPAND ITS CLASS I LIQUOR LICENSE FOR AN EXPANSION OF THE BEER GARDEN AREA FOR A NEW LICENSED AREA DESCRIBED AS A ONE STORY BUILDING APPROX. 95 FT. BY 102 FT. WITH BEER GARDEN AREA APPROX. 21 FT. BY 64 FT. AT 5551 S. 48TH ST - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88094 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 The Garage Sports Bar & Grill Inc. dba The Garage Sports Bar & Grill to expand its licensed premises by expanding the outside area by an additional seven feet to the west of the presently licensed premises located at 5551 South 48th Street, Lincoln, Nebraska, said license to read as a one story building approximately 95 feet by 102 feet with beer garden approximately 21 feet by 64 feet on the south west side of the building, be approved with the condition that the premises complies in every respect with all City and State regulations, specifically the Smoking Regulation Act and the Nebraska Clean Indoor Air Act.  
BE IT FURTHER RESOLVED that the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

APPLICATION OF TEMENAY CORP. DBA MUM'S LIQUOR FOR A CLASS D LIQUOR LICENSE AT 2202 O ST - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88095 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 Temenay Corp. dba Mum's Liquor for a Class "D" liquor license at 2202 O Street, Lincoln, Nebraska, for the license period ending April 30, 2014, be approved with the condition that:

1. All employees must possess a valid Responsible Beverage Server/Seller Permit as required by Section 5.04.124 of the Lincoln Municipal Code.
2. The premises must comply 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 Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

MANAGER APPLICATION OF FISEHA TESFAZION FOR TEMENAY CORP. DBA MUM'S LIQUOR AT 2202 O ST - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88096 WHEREAS, Temenay Corp. dba Mum's Liquor located at 2202 O Street, Lincoln, Nebraska has been approved for a Retail Class "D" liquor license, and now requests that Fiseha Tesfazion be named manager;

WHEREAS, Fiseha Tesfazion 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 Fiseha Tesfazion 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 Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

**ORDINANCES - 2<sup>ND</sup> READING & RELATED RESOLUTIONS (as required)**

CHANGE OF ZONE NO. 13029 – APPLICATION OF US PROPERTIES FOR A CHANGE OF ZONE FROM AGR AGRICULTURAL RESIDENTIAL DISTRICT TO H-3 HIGHWAY COMMERCIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT EIGER DRIVE AND NEBRASKA HIGHWAY 2. (RELATED ITEMS: 14-15, 14R-48) - PRIOR to reading:

EMERY Moved for Bill No. 14-15 to be placed on the Pending List with no date certain.  
Seconded by Fellers and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

CLERK Read an ordinance, introduced by Trent Fellers, 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, for the second time.

SPECIAL PERMIT NO. 13060 – APPLICATION OF SILVER OFFICE - OAKVIEW LLC TO ALLOW A CAMPGROUND FOR 13 CAMP SITES ON PROPERTY GENERALLY LOCATED AT EIGER DRIVE AND NEBRASKA HIGHWAY 2. (RELATED ITEMS: 14-15, 14R-48) - PRIOR to reading:

EMERY Moved for Bill No. 14R-48 to be placed on the Pending List with no date certain.  
Seconded by Fellers and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

REDEDICATION OF VACATED CRESTDALE ROAD AS PUBLIC RIGHT-OF-WAY - CLERK read an ordinance, introduced by Trent Fellers, rededicating vacated Crestdale Road right-of-way vacated by Ordinance No. 11221, for the second time.

**PUBLIC HEARING - RESOLUTIONS**

SPECIAL PERMIT/USE PERMIT NO. 8C – APPLICATION OF A STREET, LLC, TO ALLOW AN APPROXIMATELY 12,400 SQUARE FOOT EXPANSION OF AN EXISTING HEALTH CARE FACILITY AND TO MODIFY THE REQUIRED PARKING RATIO FOR DOCTORS' OFFICES ON PROPERTY GENERALLY LOCATED AT SOUTH 70TH STREET AND A STREET - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-88097 WHEREAS, A Street, LLC has submitted an application in accordance with Sections 27.64.010, and 27.63.080 of the Lincoln Municipal Code designated as Special Permit/Use Permit No. 8C for authority to expand the existing health care facility by approximately 12,400 square feet and add a new parking lot, with a request to modify the required parking ratio for doctors' offices from one parking space per 225 square feet of floor area to one parking space per 300 square feet of floor area on property generally located at South 70th Street and A Street, and legally described as:

Lot 1, Prairie Life Center 1st Addition; Lots 2 and 3, Prairie Life Center Addition; and Lot 81 I.T., in the Southeast Quarter of Section 28, Township 10 North, Range 7 East of the 6th P.M., Lincoln, Lancaster County, Nebraska;

WHEREAS, the real property adjacent to the area included within the site plan for this expanded health care facility will not be adversely affected; and

WHEREAS, said site plan together with the terms and conditions hereinafter set forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal Code to promote the public health, safety, and general welfare.

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

That the application of A Street, LLC, hereinafter referred to as "Permittee", for authority to expand the existing health care facility by approximately 12,400 square feet, to add a new parking lot, and reduce the required parking ratio for doctors' offices, on the property legally described above, be and the same is hereby granted under the provisions of Sections 27.64.010, and 27.63.080 of the Lincoln Municipal Code upon condition that construction and operation of the health care facility under the amended Combined Special Permit/Use Permit be in substantial compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves an addition of approximately 12,400 square feet of floor area and reduces the parking requirements for doctors' offices from one parking space per 225 square feet of floor area to one parking space per 300 square feet of floor area for Lot 1, Prairie Life Center 1st Addition.
2. Before receiving building permits:
  - a. The Permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final sign plan including five copies showing the following revisions:
    - i. Revise the building envelope along Gramercy Road and reduce it by 5 feet.
    - ii. Delete the "Site Area Calculations" table on the site plan.
    - iii. Delete the "Owner's List" from the project data table on the site plan.

- iv. Add to the General Notes, "Signs need not be shown on this site plan, but need to be in compliance with Chapter 27.69 of the Lincoln Zoning Ordinance, and must be approved by Building & Safety Department prior to installation".
  - v. Add a note to the plan that states, "A landscape plan will meet Design Standards for Screening and Landscaping, Chapter 3.50, and will be approved by the Director of Planning prior to obtaining a building permit."
  - vi. Add a note to the plan that states, "The parking lot will meet Design Standards for Parking Lots, Chapter 3.45, and will be reviewed at the time of building permit."
  - vii. Add the 20' front yard setback along A Street.
  - viii. Add a note to the site plan that states, "The developer reserves the right to build anywhere within the building envelope shown."
  - ix. Update the parking table using the floor area of the medical office building.
  - x. Remove the APPROVAL block on the site plan.
  - xi. Remove note #23 from the site plan.
  - xii. Update the legal descriptions on the site plan and the referenced zoning districts.
- b. Provide documentation from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.
  - c. The construction plans must substantially comply with the approved plans.
3. All development and construction must substantially comply with the approved plans.
  4. All privately-owned improvements, including landscaping and recreational facilities, must be permanently maintained by the Permittee or an appropriately established homeowners association approved by the City.
  5. The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters must be in substantial compliance with the location of said items as shown on the approved site plan.
  6. The terms, conditions, and requirements of this resolution shall run with the land and be binding on the Permittee, its successors, and assigns.
  7. The Permittee shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the special permit. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee. Building permits will not be issued unless the letter of acceptance has been filed.
  8. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however the terms and conditions of all prior resolutions approving this Combined Special Permit/Use Permit remain in full force and effect except as specifically amended by this resolution.  
Introduced by Trent Fellers
- Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

AMENDING THE SECOND YEAR (2013-14) OF THE SIX YEAR CIP FOR PARKS AND RECREATION DEPARTMENT/WEST ADAMS/CORNHUSKER HIGHWAY AND I-180 CORRIDORS PROJECT TO IDENTIFY AN APPROPRIATION OF \$2.5 MILLION AND CHANGE THE FUNDING SOURCE FROM OTHER FINANCING TO LEASE PURCHASE FUNDING. (RELATED ITEMS: 14R-50, 14R-52) - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-88098 A Resolution amending the first year (2012-2013) of the Fiscal Year 2012/2013 - 2017/2018 Six Year Capital Improvement Program (adopted by and attached to Resolution No. A-86975 as Schedule 5, as amended by Resolution No. A-87532, to establish Parks and Recreation Department - West Adams/Cornhusker Highway and I-180 Entry Corridors as a capital improvement project within the adopted Capital Improvement Program; increasing appropriations for said capital improvement project from \$1,900,000.00 to \$2,500,000.00, and changing the source of funding from Other Financing to Lease Purchase Financing.

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

That the City Council hereby appropriates and directs the Finance Director to make the necessary adjustments to the annual budget to designate \$2,500,000.00 from Lease Purchase Financing to be used toward construction of the West Adams/ Cornhusker Highway and I-180 Entry Corridors Project.

Introduced by Trent Fellers

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

DECLARING THE OFFICIAL INTENT OF THE CITY OF LINCOLN, NEBRASKA TO REIMBURSE CERTAIN EXPENSES FROM THE PROCEEDS OF CITY OF LINCOLN, NEBRASKA CERTIFICATES OF PARTICIPATION IN CONNECTION WITH ACQUISITION AND



INSTALLATION OF MATERIALS AND EQUIPMENT FOR (A) SIDEWALKS, (B) FIBER OPTIC NETWORK INSTALLATIONS AND EXPANSIONS, AND (C) IMPROVEMENTS TO WEST ADAMS/CORNHUSKER HIGHWAY AND I-180 CORRIDOR. (RELATED ITEMS: 14R-50, 14R-52) - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-88099 A RESOLUTION DECLARING THE OFFICIAL INTENT OF THE CITY OF LINCOLN, NEBRASKA TO REIMBURSE CERTAIN EXPENSES FROM THE PROCEEDS OF CITY OF LINCOLN, NEBRASKA CERTIFICATES OF PARTICIPATION IN CONNECTION WITH THE ACQUISITION AND INSTALLATION OF MATERIALS AND EQUIPMENT FOR SIDEWALKS, FIBER OPTIC NETWORK INSTALLATIONS AND EXPANSIONS, AND IMPROVEMENTS TO WEST ADAMS/CORNHUSKER HIGHWAY AND I-180 CORRIDOR

BE IT RESOLVED by the Council (the "Council") of the City of Lincoln, Nebraska (the "City") as follows:

Section 1. Findings.

(a) The City has begun the acquisition and installation of materials and equipment for (i) sidewalks, (ii) fiber optic network installations and expansions, and (iii) enhancements to the West Adams/Cornhusker Highway and I-180 Corridor (together, the "Project") in the current fiscal year to provide for the health, safety and welfare of its residents.

(b) Pursuant to Section 15-201.02, Reissue Revised Statutes of Nebraska, as amended ("Section 15-201.02"), the City is authorized to enter into installment contracts for the purchase of real and personal property, which contracts need not be restricted to a single year and may provide for the purchase of the property in installment payments to be paid over more than one fiscal year.

(c) The City anticipates entering into a lease-purchase agreement (the "Lease Agreement") pursuant to its authority under Section 15-201.02 in connection with the Project to finance all or a portion of the costs of the Project through issuance, sale and delivery of Certificates of Participation in the Lease Agreement (the "COPs").

(d) The City anticipates incurring a portion of the costs of the Project prior to the issuance of the COPs and desires to preserve its ability to reimburse such costs under the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and the applicable regulations thereunder (the "Regulations").

(e) The Regulations govern the City's use of proceeds derived from the sale of th COPs to reimburse "original expenditures" made by the City prior to the authorization of the COPs. Specifically, the Code requires the City to declare its official intent to reimburse original expenditures made in furtherance of the Project not later than 60 days after payment of such original expenditures. The Code requires that tax-exempt obligations be issued, and a reimbursement allocation be made, from the proceeds of those obligations within 18-months after the later of the date the original expenditure is paid or the Project is placed in service or abandoned, but in no event more than three (3) years after the date the expenditure is paid.

(f) It is necessary, desirable, advisable and in the best interests of the City that the requirements of the Regulations be satisfied to preserve the ability of the City to reimburse costs of the Project made by the City from and after the date of the passage and adoption of this Resolution from the proceeds of the COPs.

Section 2. Declaration of Intent and Related Matters.

(a) In accordance with the provisions of this Resolution and Section 1.150-2 of the Regulations, the Council hereby declares the official intent of the City to reimburse all or part of the costs of the Project through the execution and delivery of the Lease Agreement and the issuance of the COPs in connection therewith, the interest portion of which will be excludable from gross income for federal income tax purposes under Section 103 of the Internal Revenue Code of 1986, as amended. Prior to the execution and delivery of the Lease Agreement and the issuance of the COPs, the City is authorized to advance moneys in an amount not to exceed \$7,100,000 for the purposes hereinbefore described.

(b) Except for (i) expenditures to be paid or reimbursed from sources other than the COPs, (ii) "de minimus expenditures" defined under Section 1.150-2(f)(1) of the Regulations, and (iii) "preliminary expenditures" defined under Section 1.150-2(f)(2) of the Regulations, no expenditures made in furtherance of the Project have been paid by the City more than 60 days prior to the adoption of this Resolution.

(c) Payments under the Lease Agreement constituting debt service on the COPs will be paid from the City's General Fund.

(d) The COPs will be issued in the amount, and upon the terms and conditions agreed to between or among the City, the lessor under the Lease Agreement and the purchaser(s) of the COPs, as authorized by the Council at a meeting held for such purpose.

(e) As of the date of this Resolution, there are no funds of the City reserved, allocated on a long-term basis or otherwise set aside (or reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside) to provide permanent financing for the expenditures related to the Project, other than the contemplated issuance of the COPs.

Section 3. Authorizations.

(a) The Finance Director and the City Controller (each an "Authorized Officer") are hereby authorized to take any further action that is necessary to preserve the ability of the City to reimburse original expenditures made in furtherance of the Project from and after the date of the passage and adoption of this Resolution from the proceeds of the COPs.

(b) The Authorized Officers shall be, and each of them hereby is, authorized to execute on behalf of the City and to deliver any and all other instruments and documents including, but not limited to, such certificates or instruments as may be required under the terms of this Resolution necessary to be executed and delivered in connection with this Resolution and the approvals made hereby.

(c) An Authorized Officer shall be responsible for making the "reimbursement allocations" described in Section 1.150-2 of the Regulations by transferring the appropriate amount of COPs proceeds to the City accounts used to temporarily finance some or all of the Project. Each allocation must be evidenced by an entry on the official books of the City maintained for the Project and must specifically identify the original expenditure being reimbursed.

Section 4. Ratification. All acts and deeds heretofore done by any officer, employee or agent of the City, on behalf of the City, to preserve the City's ability to reimburse expenditures made in furtherance of the Project with the proceeds of the COPs are hereby ratified, confirmed and approved.

Section 5. Effective Dates. This Resolution will be in full force and effect from and after its passage and adoption by the Council and approval by the Mayor.

Section 6. Conflicting Resolutions Repealed. All resolutions of the Council, or parts thereof, in conflict with the provisions of this Resolution are, to the extent of such conflict, hereby repealed.

Introduced by Trent Fellers

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

APPROVING THE PURCHASE OF PROPERTY LOCATED AT SOUTH 29TH AND A STREETS FROM THE LINCOLN PARKS FOUNDATION FOR A PURCHASE PRICE OF \$248,750 WITH A FUNDING SOURCE FROM THE ADVANCE LAND ACQUISITION FUND - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-88100 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That pursuant to Article IX-B, Section 12, of the Charter of the City of Lincoln, the City of Lincoln Parks and Recreation Department is hereby authorized to use \$248,750.00 from the Advance Acquisition Fund for the purchase of the property generally located at 29th and A Streets, commonly known as 2829 and 2847 A Street, and legally described as Lots 2-5, Block 2, Zehrunge and Ames Addition, Lincoln, Lancaster County, Nebraska.

Introduced by Trent Fellers

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

APPROVING A CONTRACT AGREEMENT BETWEEN THE CITY OF LINCOLN AND WINDSTREAM COMMUNICATIONS FOR THE ANNUAL REQUIREMENTS FOR INTERNET SERVICE PROVIDER SERVICES, PURSUANT TO BID NO. 14-016, FOR A FOUR YEAR TERM WITH THE OPTION TO RENEW FOR ONE ADDITIONAL FOUR YEAR TERM - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-88101 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Contract Agreement between the City of Lincoln and Windstream Communications for the annual requirements for Internet Service Provider Services, pursuant to Bid No. 14-016, for a four year term with the option to renew for one additional four year term, upon the terms and conditions as set forth in said Contract Agreement, is hereby approved and the Mayor is authorized to execute the same and any associated amendments or renewals on behalf of the City of Lincoln.

Introduced by Trent Fellers

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

**ORDINANCES - 3<sup>RD</sup> READING & RELATED RESOLUTIONS (as required)**

CHANGE OF ZONE 13028 – APPLICATION OF LINCOLN COUNTRYHOUSE III, LLC FOR A CHANGE OF ZONE FROM P PUBLIC USE DISTRICT TO R-3 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT SOUTH 70TH STREET AND O STREET - CLERK read an ordinance, introduced by Doug Emery, 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.

EMERY Moved to pass the ordinance as read.

Seconded by Fellers and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

The ordinance, being number #19991, is recorded in Ordinance Book #28, Page .

ANNEXATION NO. 13004 – AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 15.81 ACRES GENERALLY LOCATED AT HIGHWAY 2 AND ASHBROOK DRIVE. (RELATED ITEMS: 14-13, 14-14 & 14R-44) - PRIOR to reading:

CAMP Moved to Delay Action on Bill No. 14-13 with continued Public Hearing three weeks to March 3, 2014

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

CLERK Read an ordinance, introduced by Doug Emery, annexing and including the below described land as part of the City of Lincoln, Nebraska and amending the Corporate Limits Map attached to and made a part of Ordinance No. 18208, to reflect the extension of the corporate limits boundary of the City of Lincoln, Nebraska established and shown thereon, the third time.

CHANGE OF ZONE NO. 13020 – APPLICATION OF LIVINGSTON INVESTMENTS FOR A CHANGE OF ZONE FROM AGR AGRICULTURAL RESIDENTIAL DISTRICT TO R-4 RESIDENTIAL ON PROPERTY GENERALLY LOCATED AT HIGHWAY 2 AND ASHBROOK DRIVE. (RELATED ITEMS: 14-13, 14-14 & 14R-44) - PRIOR to reading:

CAMP Moved to Delay Action on Bill No. 14-14 with continued Public Hearing three weeks to March 3, 2014

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

CLERK Read an ordinance, introduced by Doug Emery, 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.

SPECIAL PERMIT NO. 13043 – APPROVING THE APPLICATION OF LIVINGSTON INVESTMENTS TO DEVELOP THE BROADMOOR ASHBROOK APARTMENTS COMMUNITY UNIT PLAN TO ALLOW UP TO 220 DWELLING UNITS WITH REQUESTED WAIVERS OF THE REQUIRED BLOCK LENGTH AND BUILDING HEIGHT ON PROPERTY GENERALLY LOCATED AT HIGHWAY 2 AND ASHBROOK DRIVE. (RELATED ITEMS: 14-13, 14-14 & 14R-44) - PRIOR to reading:

CAMP Moved to Delay Action on Bill No. 14R-44 with continued Public Hearing three weeks to March 3, 2014

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

#### **ORDINANCES - 1<sup>ST</sup> READING & RELATED RESOLUTIONS (as required)**

AUTHORIZING THE PURCHASE AGREEMENT FOR THE SALE OF CITY OWNED PROPERTY GENERALLY LOCATED AT 1520 VAN DORN STREET TO KYLIE J. SCHILDT - CLERK read an ordinance, introduced by Leirion Gaylor Baird, approving a Purchase Agreement for the sale of property owned by the City of Lincoln and authorizing the transfer of the City owned property commonly known as 1520 Van Dorn Street to Kylie J. Schildt, the first time.

APPROVING A REAL ESTATE SALES AGREEMENT BETWEEN THE CITY OF LINCOLN AND CYNTHIA OSTIGUIN FOR THE SALE OF CITY OWNED PROPERTY GENERALLY LOCATED AT 144 B STREET - CLERK read an ordinance, introduced by Leirion Gaylor Baird, approving a Real Estate Sales Agreement between the City of Lincoln and Cynthia Ostiguin authorizing the sale of City owned property described as the south 90 feet of Lot 12, Block 229, Original Plat of the City of Lincoln, Lancaster County, Nebraska, more commonly known as 144 B Street, the first time.

APPROVING A REAL ESTATE SALES AGREEMENT BETWEEN THE CITY OF LINCOLN AND NEIGHBORHOODS, INC. FOR THE SALE OF CITY OWNED PROPERTY GENERALLY LOCATED AT 2206 E STREET - CLERK read and ordinance, introduced by Leirion Gaylor Baird, approving a Real Estate Sales Agreement between the City of Lincoln and Neighborhoods, Inc. authorizing the sale of City owned property described as the south 96 feet of Lot 9, Block 5, Houtz Place, Lincoln, Lancaster County, Nebraska, more commonly known as 2206 E Street, the first time.

AMENDING CHAPTER 18.04 OF THE LINCOLN MUNICIPAL CODE RELATING TO CONSTRUCTION REQUIREMENTS TO BRING SAID CHAPTER INTO CONFORMANCE WITH NEB. REV. STAT. §15-905 BY AMENDING SECTION 18.04.010 TO DELETE A REFERENCE TO FARMSTEADS; REPEALING SECTION 18.04.020 (FARMSTEAD DEFINED); AMENDING SECTION 18.04.080 TO CORRECT A SECTION REFERENCE; AND AMENDING SECTION 18.04.090 TO EXEMPT CITIES AND VILLAGES WITHIN THREE MILES OF THE CORPORATE LIMITS OF THE CITY OF LINCOLN UNLESS SUCH CITIES AND VILLAGES CONSENT - CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending Chapter 18.04 of the Lincoln Municipal Code relating to Construction Requirements to bring said chapter into conformance with Neb. Rev. Stat. §15-905 by

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amending Section 18.04.010 to delete a reference to farmsteads; repealing Section 18.04.020 (Farmstead Defined); amending Section 18.04.080 to correct a section reference; and amending Section 18.04.090 to exempt cities and villages within three miles of the corporate limits of the City of Lincoln unless such cities and villages consent; and repealing Sections 18.04.010, 18.04.080 and 18.04.090 of the Lincoln Municipal Code as hitherto existing, the first time.

**RESOLUTIONS - 1<sup>ST</sup> READING - ADVANCE NOTICE**

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF JANUARY 16-31, 2014.

**OPEN MICROPHONE - NONE**

**ADJOURNMENT**

**5:49 P.M.**

CAMP            Moved to adjourn the City Council Meeting of February 10, 2014.  
                    Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

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Teresa J. Meier, City Clerk

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Amy Hana Huffman, Office Specialist