

**THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, FEBRUARY 13, 2017 AT 3:00 P.M.**

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

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

READING OF THE MINUTES

RAYBOULD Having been appointed to read the minutes of the City Council Proceedings of February 6, 2017, reported having done so, found same correct.

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

PUBLIC HEARING

APPOINTING TAMMY WARD TO THE LINCOLN ELECTRIC SYSTEM ADMINISTRATIVE BOARD FOR A TERM EXPIRING DECEMBER 31, 2019 - Tammy Ward, 641 NW 20th, came forward and requested approval.

This matter was taken under advisement.

APPOINTING DANAY KALKOWSKI TO THE LINCOLN ELECTRIC SYSTEM ADMINISTRATIVE BOARD FOR A TERM EXPIRING DECEMBER 31, 2019 - Danay Kalkowski, 1128 Lincoln Mall, Suite 105, came forward and requested approval.

This matter was taken under advisement.

APPLICATION OF CEREUS SNOWBIRDS, LLC DBA BODEGA'S ALLEY FOR A CLASS C LIQUOR LICENSE AT 1418 O STREET;
MANAGER APPLICATION OF RYAN C. DETLEFSEN FOR CEREUS SNOWBIRDS, LLC DBA BODEGA'S ALLEY AT 1418 O STREET - Ryan C. Detlefsen, 811 S. 38th Court, applicant, came forward to take the oath and requested approval.

This matter was taken under advisement.

APPLICATION OF BLUR PARTIES, INC. DBA BLUR PARTIES FOR A CLASS DK LIQUOR LICENSE AT 2501 WEST L STREET;
MANAGER APPLICATION OF STACY C. LENERS FOR BLUR PARTIES, INC. DBA BLUR PARTIES AT 2501 WEST L STREET - Stacy Leners, 606 Lakeside Drive, applicant, came forward to take the oath and requested approval.

Carl Eskridge, Council Member, asked if there was a physical location where the wineries would come to or are they just catered events.

Ms. Leners stated they do have a business property with some additional land and that is where the retail license will be held along with an off-sale license, but they will not be actually selling off-sale out of the property. Down the road, they might look at doing some small events at their property, but not in the immediate future.

This matter was taken under advisement.

APPLICATION OF SAI PROPERTIES, INC. DBA COMFORT SUITES EAST LINCOLN FOR A CLASS I LIQUOR LICENSE AT 331 N COTNER BOULEVARD;
MANAGER APPLICATION OF GWENDOLYN D. FERGUSON FOR SAI PROPERTIES, INC. DBA COMFORT SUITES EAST LINCOLN AT 331 N COTNER BOULEVARD - Gwendolyn D. Ferguson, 4110 Dunn Avenue, applicant, came forward to take the oath and requested approval.

This matter was taken under advisement.

COMP. PLAN CONFORMANCE 16014 – APPROVING AN AMENDMENT TO THE LINCOLN CENTER REDEVELOPMENT PLAN TO ADD THE “11TH AND P HOTEL AND LINCOLN COMMERCIAL CLUB REDEVELOPMENT PROJECT” TO REMOVE BLIGHTED AND SUBSTANDARD CONDITIONS THROUGH THE RENOVATION OF TWO OF DOWNTOWN LINCOLN’S OLDER BUILDINGS, INCLUDING THE LINCOLN COMMERCIAL CLUB BUILDING AT 200 NORTH 11TH AND THE BUILDING AT 216 NORTH 11TH STREET - Hallie Salem, Urban Development, came forward and explained the resolution is for the Lincoln Center Redevelopment Plan to create the 11th and P Hotel and Lincoln Commercial Club project. The project proposes to restore the historic exterior facade features for the Lincoln Commercial Club, renovate the great banquet room on the third floor, revamp the 4th floor into residential and hotel, and the potential 5th floor. The location would retain Misty’s on the 1st floor and renovate the 2nd floor for commercial office space. The hotel building is a project that will be 7 stories when completed. The first four floors will be renovated and three floors will be added for hotel space. The first

floor would be a lounge area with food service. The result will be a boutique hotel with approximately 32 rooms. The project will also include construction of a skywalk between the hotel and the existing garage. Additional improvements include the 11th Street right-of-way to blend the P Street streetscape improvements with 11th Street. The 7-8 million dollar project will generate approximately just over \$1 million in TIF that is projected at this point. This could go up to \$1.4 million in TIF. The TIF will be used to support the public improvements and enhancements, such as the facade, right-of-way improvements, and potentially skywalk improvements. Urban Development believes that without the TIF the project will not be completed as shown and they have had previous ideas proposed on this exact area and those were not able to be executed. The latest was in 2008, and that plan will be removed and replaced with the current plan amendment. The cost benefit analysis shows that approximately \$116,000 of TIF would be generated each year and about \$19,000 would then be foregone by the City for the next 15 years. It is anticipated that the project would generate additional employment in the project area, approximately 10-15 FTE's. Urban Design Committee approved this design on January 10, 2017. The Planning Commission approved this project on January 18, 2017. There are several things this does to the Comprehensive Plan: preservation of Downtown as an entertainment center, residential choices in the area, the ability to have a lot in walking distance, adaptive reuse of existing buildings, further supports the Lincoln Redevelopment Plan, consistent and complimentary uses of existing land, encourages rehabilitation of existing structures, and expands housing opportunity for a 24/7 livable community in Downtown. Discussion followed.

Jon Camp, Council Member, asked for clarification on the \$19,000 being forgone by the City.

Ms. Salem clarified the \$19,000 will not be available for tax purposes, but will go towards the project for improvements on the project area. So the \$116,000 generated per year by the project would go towards paying off the bond on the project and \$19,000 of that would ordinarily be going to the City but, instead, it will be going to pay off the bond. The \$116,000 would be the TIF per year.

Gill Peace, P Studio Architects, 1835 Kings Hwy, came forward representing the design team and shared the 3rd floor ballroom will be left alone as much as possible to maintain the historic feel but there will be some modern amenities added to make it available as an entertainment option. When the project is complete, there will be two buildings with three separate owners all coming together to make one single project. A new elevator will be installed to allow access from the new hotel directly to the ballroom. This will help align the existing floors. Nothing about this project displaces the existing tenants. Misty's will still retain the first floor and the one other commercial tenant in the 200 building will remain also. There are currently no tenants in the 216 building. There is also a 'u' shaped 4th floor that will wrap around and be able to look down on the 3rd floor ballroom. The completed project will have the ballroom and a number of surrounding suites that will be available to the hotel along with the residents.

Leirion Gaylor Baird, Council Chair, inquired about the potential 5th floor and if that design has already been sketched out.

Mr. Peace stated they have not sketched anything out with the potential 5th floor. That is something the owner has brought up relatively recently in the design process, mostly as a reaction to a strong market in the Downtown area for more living. In the coming weeks and months, this deal will be decided on. Once this is decided on, it will then go back in front of the Urban Design Committee.

Kent Seacrest, Seacrest & Kalkowski Law, 1128 Lincoln Mall, Suite 105, came forward and stated this design is with the 2 buildings and 3 owners who initially tried to do this solo but that did not work with this project because of the complexity of the buildings. They also tried to put the two buildings together and that effort failed because the floors are different elevation. The question was, what do you do with a grand ballroom? The highest and best use would probably not be a grand ballroom. It could be filled in and the space could be used for something else. Maintaining the ballroom might not be the highest and best use for that space, but it is historically the greatest use and that is to retain its character. It will then be complimented with the hotel next to it. There is still \$1 million that is short for public improvements that the developer will have to pick up.

Ms. Gaylor Baird asked what the public improvements would be for the use of TIF.

Mr. Seacrest confirmed the public enhancements would be on P Street and the skywalk. The main focus would be on the facade. The old hotel building is one of Lincoln's oldest buildings and the Commercial Club building was built in 1911. The Facade is the most expensive because of the rehab and historic features. When new buildings are being built in Lincoln, it is important to try and maintain the historic part of the buildings.

Jane Raybould, Council Member, asked for time frames.

Mr. Seacrest stated they are currently working on a Redevelopment Agreement. There have been a number of drafts and this could potentially come back in front of Council as early as March, 2017. They are shooting for a 2018 opening with hopes to catch football season. Construction will hopefully start this Spring and will be a fast construction season.

This matter was taken under advisement.

COMP. PLAN CONFORMANCE 16012 – APPROVING AN AMENDMENT TO THE ANTELOPE VALLEY REDEVELOPMENT PLAN TO ADD THE “TELEGRAPH DISTRICT PHASE 2: TELEGRAPH FLATS & TELEGRAPH LOFTS EAST REDEVELOPMENT PROJECT” TO CREATE A MIXED-USE RESIDENTIAL AND RETAIL AREA IN WHAT WAS FORMERLY THE FISHER FOODS SITE GENERALLY LOCATED SOUTHEAST OF 20TH AND N STREETS AND A 3-STORY MIXED-USE BUILDING PROVIDING FOR FIRST FLOOR RETAIL/RESTAURANT USES, LIVE/WORK LOFT, AND MULTI-FAMILY HOUSING WITH UPPER FLOORS CONTAINING ABOUT 46 RESIDENTIAL

UNITS WITH A COMBINED AREA OF 61,975 SQUARE FEET, UNDERGROUND PARKING AND OFF-STREET SURFACE PARKING ARE ALSO INCLUDED, AND RENOVATED STREETScape IMPROVEMENTS ARE PLANNED THROUGHOUT THE PHASE 2 PROJECT AREA, ON PROPERTY GENERALLY LOCATED BETWEEN L STREET AND THE ALLEY NORTH OF N STREET, AND SOUTH 20TH STREET TO THE ANTELOPE VALLEY CHANNEL, INCLUDING THE MUNY POOL BUILDING - Wynn Hjernstad, Urban Development, came forward and shared this is an amendment to the Antelope Valley Redevelopment Plan that adds the second phase of the Telegraph District. The second phase includes the old Fisher Food complex and a new building on the corner of 21st and N. The buildings for phase 2 include the dairy building, towel building and the power plant building. The name of this project is Telegraph Flats. The towel building will be renovated to include 1st floor retail and approximately 4 residential units on the back side. The dairy building will be renovated and expanded to include about 15 residential units as well as 1st floor retail. The southern section of the building is in poor condition and cannot be saved and renovated. That portion of the building will be demolished and a new addition built. The power plant building will be renovated to provide social amenities for tenants of the other two buildings. There will be about 80 off street parking on the east side of the project. Across from N Street there is a City owned lot that will be sold to the developer and that will also provide parking. Most of the Telegraph District is intended to be very urban and a very vibrant mixed use feel. On 20th Street there is a slight difference, eventually, there will be additional residential planned, and on 20th Street will be more residential. There will later be a vacation request because there is 4 feet needed to get steps built up to the residential units that is currently in the public right-of-way. There will be balconies built that are designed to be removed because there is currently a sewer under where the balconies will be built, and if there every needs to be work performed on the sewer the balcony can be removed. The second phase of this project is called Telegraph Lofts East and that will be at 21st and N and will have parking behind it. This intersection is intended to be a focal point of the Telegraph District. It includes almost 21,000 square feet of retail and restaurant, living and working lofts, multi family housing, as well as 46 units on the upper floors. This will include a slight alteration to the bike lane to provide parking. There will be about 65 underground stalls and about 200 off street surface parking, along with the additional angled parking provided on 21st Street. The third piece of the project is the streetscape that will be on 20th Street, 21st Street, N Street and M Street. This will include planters, pavers, dock landscape, pedestrian lighting, and banners. The Muny building is also included in this amendment. There are currently no plans for that building, but Parks & Rec will be vacating that building in April. That building is a City owned building and it was included in the Redevelopment Agreement to provide potential opportunity in the future. LES has a substation at 21st and N and there might be an enhanced screen wall that will go along with enhancements on the streetscape project. The project received unanimous approval by Urban Design Committee in January and by the Planning Commission in February. There was a neighborhood meeting held in January with about 30 people attending with no opposition to the project. Downtown design standards will apply with this project as well as PUD, which will come through with the Redevelopment Agreement. Private investment is over \$22 million and about \$2.8 million in TIF. The developer would like to start construction in Spring or Summer of 2017.

Jane Raybould, Council Member, inquired about how the removal balconies will work.

Ms. Hjernstad explained the balcony will be bolted on and are able to be removed. This is due to the sewer and at some point the developer would like to relocate that sewer, but that will depend on future development of the Telegraph District.

Carl Eskridge, Council Member, asked how many phases there would be on this project.

Ms. Hjernstad said there will be future phases but she does not think the developers know exactly how many phases there will be in total.

Leirion Gaylor Baird, Council Chair, asked for further explanation of the on street parking.

Ms. Hjernstad explained on 21st Street there will be diagonal parking as well as some on N Street. This area is zoned B-4 and there is an amendment to waive the parking requirements.

Jon Camp, Council Member, asked with waiving the parking requirements, what obligation will that put on the City later to provide a parking structure?

Ms. Hjernstad stated that the parking that this project will need are being provided by the developers. In future phases and future developments, there has been discussion on providing parking facilities. At this point, there is no obligation for the City to provide parking.

Ms. Gaylor Baird asked how the bike lane would be altered.

Ms. Hjernstad stated it is not being altered very much but it will be moved slightly to provide the parking. They have also worked with the designers of the bikeway and it is still safe for the bikers. Discussion followed.

Roy Christensen inquired about the carwash exits on the west side of 21st Street and how that will work with this project.

Ms. Hjernstad shared there is a car wash exit, but that is currently City owned land. The carwash main access point is off N Street and they will retain that access off N Street. The City is currently allowing them to use the access off 21st Street.

Mr. Camp asked what was intended with the telephone museum.

Ms. Hjernstad explained the owners of the building are allowing the museum to stay until another location is found. They are in the process of finding a museum planner to help them identify a new location, but also what can be done to help improve the museum. They would like to stay in or near the Telegraph District.

Trent Fellers, Council Member, stated on the east side of the building, there is a lot that is used for parking for the ball fields and asked if there was any alteration to access that.

Ms. Hjermstad said they have been talking about an additional access. It will stay in City ownership and that would be another discussion but there will still be access to that off of 21st Street. Once Parks moves out of that building, it will be fenced off because it will be a vacant building and they do not want anyone back where the vacant building is. Discussion followed.

Ms. Gaylor Baird asked if the TIF numbers come from phase two or if that includes phase one as well.

Ms. Hjermstad stated the \$2.8 million in TIF is just for phase two and the bond vote did not influence that number.

Mr. Christensen said before the Telegraph District there was another developer, The Hoppe Brothers, that went in to try and develop this land and spent a lot of money doing some demolition, and asked if they have been made whole and will they be.

Ms. Hjermstad said they have not been made whole and that is still being negotiated. The Hoppe Brothers did invest money and from a legal perspective, the City is not obligated to reimburse them. There was a Redevelopment Agreement with them, that identified the work they were going to do that was to be reimbursed with TIF. They were not able to complete the project.

Mr. Christensen asked if anyone was legally obligated to repay them.

Ms. Hjermstad said to her knowledge no one is legally obligated to repay them.

Mr. Christensen shared that he was told by The Hoppe Brothers that it was not that they could not finish the project but that the project was taken away from them by the City.

Ms. Hjermstad stated that is incorrect. The second invitation for redevelopment proposal was not done until after the project fell apart. However, the City does recognize that they put a lot into the project and they have not forgotten that.

Kent Seacrest, Seacrest & Kalkowski Law, 1128 Lincoln Mall, Suite 105, came forward representing EADO LLC, whose principal are primarily made up of Speedway Motors and Nelnet. The Telegraph Project was in a flood plain area prior to the Antelope Valley Project. This area is bigger than the Haymarket area but will not be as intense with as many tall buildings or parking garages because it will have lower scale buildings, but the area is very large. The historic buildings in phase 2 will be transformed for reuses of retail and urban residential. In this phase, 12 blocks will be transformed, and there is no project that has worked on that many blocks in one project. The Redevelopment Agreement will hopefully be ready in early Spring, 2017. This is a major investment, and there will be more phases to come.

Mr. Christensen asked if there was any intent to reimburse The Hoppe Brothers.

Mr. Seacrest stated the new developers that he represents were not present when any of those previous agreements were made. They are coming in as the second developer of record and they will be negotiating and buying some City land at fair market value. There does not seem to be any other way to do this and what the City decides to do with the proceeds is up to the City and not the developer. It is better that the previous demolition did occur because the value is higher in its current condition.

This matter was taken under advisement.

APPROVING THE TRANSFER OF FUNDS FROM APPROVED APPROPRIATIONS INTO THE PARKS & RECREATION DEPARTMENT HVAC PROJECT FUND #465 CIP FOR RENOVATION OF THE HVAC (HEATING, VENTILATION, AIR CONDITIONING) SYSTEM AT BELMONT RECREATION CENTER - Lynn Johnson, Director of Parks & Recreation, came forward and shared this action is establishing funding for a joint project with the City and Lincoln Public Schools for the renovation with Belmont Schools and Belmont Rec Center. This project is off the City standard budget process timing. LPS has a 10 year facilities plan that they prioritize their renovation projects and work off. They had some remaining bond funds that came available and that moved the priority of this project up. Now, Parks & Rec is working to align City funding with the LPS project. Belmont Recreation Center was constructed in 1992 and it was done with an addition to the Belmont Elementary School. At that time there was a centralized boiler system installed that serves the school building as well as the recreation center. The gym at the school does not have air conditioning because at that time it was not policy that school gyms be air conditioned. With this project, the gym will be air conditioned and will make it a more comfortable space. Although LPS calls this an indoor air control project, this is really a building rehabilitation project. They will do work on the exterior of the building and interior. The heating and cooling system will be replaced throughout the entire building. The project is being led by LPS and is part of a much larger project. This is about an \$11 million dollar project of which the City has a relatively small component of that. A lot of the discussion up-to-date has really discussed two options. One option is connecting into the LPS ground heat source system or the option to develop a stand-alone boiler system. The question is what is the appropriate payback period when doing an energy efficient project within a public building. The City partners with LPS because some of the recreation centers are partnered with the public schools. Another question would be is this a good use of the funds or are there other priorities that would suggest that we do not want to make this long term investment.

JJ Yost, Planning and Construction Manager with Parks & Rec, came forward and explained the primary focus is to update the HVAC system and it is the intention of LPS to do that with some ground pump heating systems. The other work that will go along with this project is the replacement of the exterior roof, refinishing of the brick, if needed, on the exterior, replacement of all interior lighting with LED lighting, and some architectural work, which consist of replacement of ceilings, floor tiles, carpeting, repainting of the walls, and fixing cabinets. The facility has aged and it is time to give it these updates. All of those projects are included in the costs estimates that have been presented.

Jane Raybould, Council Member, stated this is a good project but looking at some of the costs asked for more clarification on the price of the roof.

Mr. Yost shared the estimate is \$12 per square foot. That is an all in cost for removing the existing roof, disposing of those materials, and replacing the new roof.

Ms. Raybould stated on the gym side of the project there is roughly 13,800 square feet and the City's share is \$82,800. This means that LPS will match that, but if you look down on the Recreation Center and the smaller roof of 9,383 square foot comes out to be \$112,596 which is just the costs of the City. That seems substantially higher than what a new roof in commercial facilities would cost.

Dan Thompson, Mechanical Engineer with Engineering Technologies, came forward and explained the roof estimates came from an estimate from a roofing contractor. The type of roof being proposed is a little different than is seen in a lot of commercial buildings. It is a modified bitumen roof, which is basically a tar roof. LPS has chosen that type of roof because it has a longer life cycle on it. It is typically a 20 year roof, whereas most roofs are about 15 years.

Ms. Raybould stated with a new roof and LED lighting there should be efficiency savings but, based off the cost analysis and projections, it seems that there are no energy savings.

Mr. Thompson stated the current insulation that is there now is good and does not need to be replaced, so there will be no extra value out of the roof. What is being gained out of the roof is the life cycle because the current warranty of the roof is out.

Ms. Raybould asked what the current rFactor is of the roof.

Mr. Thomson shared that he believes it is around an r30 right now.

Ms. Raybould inquired about the LED lighting projection because there are also no savings on the lighting.

Mr. Thompson explained the LED lighting, when comparing the light fixture itself to a florescent t12 light fixture, and if you change a light bulb in your house from a regular light to an LED light you will get a good payback of a few years. The efficiency of an LED light to a florescent is about a 4th, but with this commercial application this cannot be done this way. This is because you cannot take an LED tube into a florescent fixture because the balance is not compatible with an LED. The whole fixture has to be replaced. It is not just taking out just the bulb like you would at home. The next thing is the light level and ceiling tiles. There are additional costs for a longer payback.

Ms. Raybould stated there still should be energy savings and she is not seeing that on the spreadsheet and it appears the utility costs for the new system is the same as the old one.

Mr. Thompson confirmed the payback in the utility numbers that are shown, there is a considerable amount of payback between the two. The comparison is just to compare the mechanical system.

Ms. Raybould pointed out that the previous utility cost was around \$26,000 and moving to a newer boiler system the utility costs increases.

Mr. Yost stated part of that is the new stand-alone gently used boiler, but it is also removal from a central more efficient boiler system. They are now going to a stand alone boiler system that will now just serve the rec center and they are decoupling from a larger boiler system that served the whole facility. So there is a little increase to have to use or energize that new boiler.

Mr. Thompson explained there are two utility bills, one is a bill for the rec center that the City gets and a bill that LPS gets for their equipment. The bill that goes to LPS has the boiler system and the gas usage for the boiler on their bill. So as of now, the City is not seeing that in their utility costs.

Mr. Yost stated the City is billed by LPS for their usage.

Mrs. Raybould is still concerned that, with all these changes, there are still no greater efficiencies, and inquired if there were other systems that could be more energy efficient.

Mr. Thompson confirmed they have not looked into a different system because to do that there would be more costs involved to remodel the building. Right now the system has hot water piping running around the facility, it has air volume boxes above the ceilings. To change the type of system, all the old stuff will have to be removed that is around the building, and they will have to put in new infrastructure to be able to support the new system.

Mrs. Raybould inquired about the architectural costs because it appears those have increased as well.

Mr. Thompson said the space is already limited in the building and they prefer to not have any additions on the building and they have been trying to find every spot that can be used inside the rec center.

Jon Camp, Council Member, asked what new equipment was needed.

Mr. Thompson stated there will be new equipment for the GO thermostat and new equipment where the boiler will be placed.

Mr. Camp stated that LPS advised they would let the boiler stay where it currently is.

Mr. Yost explained they are getting a new used boiler, but they need to find a place in the rec center to put the boiler because all the space they had before for a boiler will now be used for the new HVAC systems. They will have to take some storage space away from the rec center.

Mr. Camp stated a boiler now should not take up a lot of space.

Mr. Thompson stated they need room for the boiler, a way to feed water into it, pumps, and electrical panels.

Mr. Yost shared the difference between the architectural numbers for option B is to use existing space at the rec center and replacing ceiling grids, painting, and replacing flooring. In option A, where the numbers are higher, they are having to do a small addition to do the HVAC system because they cannot fit that into the existing space. Discussion followed.

Ms. Raybould pointed out that just for the rec center, which is 12,200 square feet, the utility costs are \$44,400 for temperature control and \$47,500 for swapping out pumps and piping for a boiler system, which is a lot of money for a small facility.

Mr. Thompson explained the temperature control system is about 20 years old. As soon as LPS does their renovation, they will take their old controls out of the school. They will then update to the newer version of the handover controls. The handover control system which is now controlling the City's portion does not work anymore because it cannot work on an old system. Discussion followed.

Mr. Camp asked about the roofing and the weight loads and switching to a TPO roof or an EPDM roof that have 20 year warranties to save some costs.

Mr. Thompson stated an EPDM roof is a less expensive roof, but does not have the life of the roof that is preferred by LPS. It is a great benefit to the City to join the facilities. LPS has someone on staff who only focuses on temperature controls, for instance. So they do have people monitor the buildings and monitor the temperatures. LPS also has the maintenance personnel who does maintenance on the facilities.

Carl Eskridge, Council Member, inquired about the temperature control on the rec center, will the boiler system be able to heat the gym in the winter and cool it in the summer.

Mr. Thompson shared the gym is currently not air conditioned and the gym will have air condition with this new project. Regardless of what option is picked, there will be air conditioning added to the gym. The rest of the facility should be comfortable with the new system.

Mrs. Raybould asked about the Capital Improvement Budget and the funding gaps that they see every year and the requests that come in regarding improvements on facilities.

Mr. Johnson explained there is a 10 year facility plan that is looked at and determines what upcoming replacements project are needed and this is done on a 2 year cycle. The last time the plan was looked at, there was about a \$2.9 million dollar annualized need. There are some projects that have been completed at this point. There are three primary funding sources that go into the Parks & Rec CIP. One of those funding sources is Keno and there are about \$1.3 million in there now. The revenue that comes in from cell towers also goes into the CIP and that is about another \$230,000 - \$250,000, and the rest is general revenue. There is still an annualized gap of about \$765,000. Even with all the efforts, there is still a gap moving forward and they are not able to keep up with repair and replacement like they would like to. Discussion followed.

Trent Fellers, Council Member, asked Mr. Johnson what his recommendation would be.

Mr. Johnson confirmed he would recommend the long term investment and using the ground source heat pump system. This is consistent with what has been done with other facilities.

Mr. Camp stated Parks has asked for a delay regarding the funding source and there is not a huge emphasize on what is the best approach, but now the question is where does the funding come from. The City is in a fortunate situation and there are a number of places where funds are. No one is concerned about the taxpayers and getting them money back. The best way to do this is to use Keno funds and if they do not have enough Keno funds, then maybe they need to borrow from another source and pay back from future Keno funds with interest and principal. Discussion followed.

Leirion Gaylor Baird, Council Chair, inquired about this type of approach being implemented a number of times before and asked for explanation on that.

Mr. Johnson stated this has been implemented three times before and when F Street Community System was built they made the decision to use the ground source heating system. The City is partnered at Calvert Recreation Center with Calvert Elementary School. The same is with Irving Recreation Center and Irvingdale Middle School. This is the same approach to partner with LPS and LPS taking the lead on the project and also to come up with the best approach.

This matter was taken under advisement

APPROVING THE 1222 P STREET REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF LINCOLN AND BRICK AND MORTAR INVESTMENTS, LLC RELATING TO THE REDEVELOPMENT OF PROPERTY LOCATED AT 1222 P STREET TO DEMOLISH THE EXISTING BUILDING EXCEPT FOR APPROXIMATELY THE FRONT 20 FEET ABUTTING P STREET, BY RENOVATING THE FAÇADE OF THE EXISTING BUILDING, AND BY CONSTRUCTING THREE NEW STORIES OVER A PORTION OF THE EXISTING TWO STORY BUILDING TO BE USED FOR RETAIL AND RESIDENTIAL SPACE. (RELATED ITEMS 17R-37, 17R-38, 17-17) (ACTION DATE: 2/27/17); AMENDING THE FY 16/17 CIP TO AUTHORIZE AND APPROPRIATE \$470,000 IN TIF FUNDS FOR THE 1222 P STREET PROJECT. (RELATED ITEMS 17R-37, 17R-38, 17-17) (ACTION DATE: 2/27/17); ORDINANCE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$470,000 AGGREGATE PRINCIPAL AMOUNT OF 1222 P STREET REDEVELOPMENT PROJECT TAX ALLOCATION BONDS. (RELATED ITEMS 17R-37, 17R-38, 17-17) - Dallas McGee, Urban Development, came forward and shared that 5 weeks ago there was a Redevelopment Plan Amendment that was brought in front of Council and approved. During the past 5 weeks, they have been working on the Redevelopment Agreement. This agreement is for the reuse of the 1222 P Street buildings. Today, the building looks much like it looked 100 years ago. With the reuse of the building, the facade of the existing structure will remain. However, there will be three new floors added to the building. The three new floors will accommodate 29 residential units. The first floor will remain retail use. The project investment was approximately \$4 million dollars that is being made to reuse the building. They estimate the project to generate \$470,000 of TIF that will be able to assist with the project. The TIF will be used primarily for interior demolition, facade enhancements, and energy enhancements. Once this project is done, it will continue to strengthen the P Street District and the continuous use of the P Street District. With Councils approval, the developer will begin construction as early as April, 2017. The project will then be scheduled to be completed in the Summer of 2018.

Carl Eskridge, Council Member, asked how this project would work with there being no street level.

Mr. McGee confirmed that with this project there would be a street level. They can enter on the ground level and there will be no need to go down or up to get to the first floor and that will be the retail floor.

Leirion Gaylor Baird, Council Chair, asked with the 29 residential units is there a certain demographics that is targeted.

Mr. McGee stated students are not the target, but more so young professionals.

Tom Huston, Cline Williams Law Firm, 233 S. 13th Street, Suite 1900, came forward on behalf of Brick and Mortar Investments, LLC and shared the front 20 feet will be retained, but the interior of that will be reconstructed so that there will no longer be a split level, but the entry will be at the ground level. The five new structures will be built behind the facade. The first floor will still maintain 3,500 square feet of retail space. The unit mix is primarily studio apartments and 1 bedroom apartments. The one thing that has not been negotiated is up to 22 parking stalls for the residence with an adjacent parking garage focusing on the Q Place Garage and the University Place Parking Garage. The Redevelopment Agreement does provide for a new explicit approval process of the final construction plans. The construction plans that are attached have been signed by the Mayor. This agreement also implements a new process that requires the redeveloper to request a notice to proceed and, in order to proceed, the developer has to demonstrate that they have paid the cost of issuance, they have paid their administration fees, exterior drawings have been approved, they have posted the necessary security under the Redevelopment Agreement, and they have recorded the memorandum of the Redevelopment Agreement.

Roy Christensen, Council Member, inquired about the blank number in the Redevelopment Agreement.

Mr. Huston confirmed that number should be the \$470,000 minus the \$14,700 number. The final agreement before it is signed by the Mayor will have that page corrected.

Ms. Gaylor Baird inquired about the 22 parking stalls and where those would be.

Mr. Huston explained they wanted to have the ability of the residence to have close adjacent parking. The tenants will be flexible whether the parking is in the University Place Garage to the east, or in the Q Place Garage, which is approximately a block or block and a half to the north.

Carl Eskridge, Council Member, asked if there was availability in the parking garage right across the street.

Mr. Huston confirmed that to his knowledge that parking garage is full. They envision their tenants to not be active drivers. The demographics are the people who want to be close to everything and live in Downtown.

Jon Camp, Council Member, asked about parking costs.

Mr. Huston stated under the terms of the Redevelopment Agreement, the redeveloper has the right to lease up to 22 parking stalls at the current monthly rate of the City.

Richard Halvorsen, 6311 Inverness Road, came forward in opposition to priority parking of 22 stalls.

Ms. Gaylor Baird, asked what the vision was for parking downtown with multiple projects in the works and needing parking downtown.

Mr. McGee stated parking is always an issue with Downtown and there is a plan to provide parking with both this development and the other hotel development. They are currently working with the parking manager and they are always looking for an option to expand parking in the Downtown area.

This matter was taken under advisement

AMENDING CHAPTER 8.32 OF THE LINCOLN MUNICIPAL CODE RELATING TO SOLID WASTES BY AMENDING SECTION 8.32.010 TO CHANGE THE DEFINITIONS OF BUILDING RUBBISH AND DEMOLITION DEBRIS TO INCLUDE ROOF SHINGLES AND OTHER ROOF COVERINGS IN THOSE DEFINITIONS; AND REPEALING SECTION 8.32.010 AS HITHERTO EXISTING - Donna Garden, Public Works, came forward and shared this change modifies the definition of certain terms so that asphalt shingles and roofing materials can be disposed of at the N. 48th construction demolition waste landfill. In May, 2016, there was a hail storm and that resulted in a tremendous increase in the amount of asphalt shingles to the landfill. In a typical year, they might see 15,000 ton of asphalt shingles. This past year, since May, they have seen 34,000 ton of asphalt shingles. This change provides an option to use the shingles in a beneficial way, by creating a mound over the garbage that was dumped at 48th Street over the 1950's to the 1980's. Unlike Bluff Road Landfill, the 48th Street Landfill has no liner, so it is beneficial to mound materials on top of the garbage to allow rain water to run off as opposed to water running through the garbage and eventually carry pollutants into the ground water. Asphalt shingles only take up space at the Bluff Road Landfill and they can create layers that hinder the landfill gas collection.

Jon Camp, Council Member, asked about the costs that would be anticipated by the building community or homeowners when they have their roofs replaced.

Ms. Garden stated State Law allows us to put it in the Construction Demolition Landfill, but the code only allows the shingles to go to the Bluff Road Landfill. This means they would be paying the costs of a ton of refuse which is \$31.75 per ton. This definition change would allow for beneficial use and would decrease the costs to \$4 per ton for the shingles.

Leirion Gaylor Baird, Council Chair, asked if there was any downside to making this change.

Ms. Garden stated they do not believe there is a downside. It is allowed under State Law as construction and demolition waste. If it is being used to protect the rain water then it is probably one of the best materials that can be used.

This matter was taken under advisement

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CHANGE OF ZONE 16044 – APPLICATION OF SOUTHWEST FOLSOM DEVELOPMENT, LLC FOR A CHANGE OF ZONE FROM R-4 RESIDENTIAL DISTRICT TO R-3 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT SOUTH FOLSOM STREET AND WEST AMARANTH LANE. (1/30/17 - PUBLIC HEARING DELAYED TO 2/13/17) (RELATED ITEMS: 17-14, 17R-29); PRELIMINARY PLAT 16008 – APPEAL OF JON WILBECK, JAMES URBAUER, MICHAEL AND ANNATA SULLIVAN, HEIDI WRIGHT, LARRY D. FRAHM, MATTHEW L. THOMAS, AND JODY P. KRANENZEL FROM THE PLANNING COMMISSION'S APPROVAL OF A NEW R-3 RESIDENTIAL DISTRICT PRELIMINARY PLAT, WITH REQUESTED WAIVERS TO SUBDIVISION REGULATIONS AND DESIGN STANDARDS, ON PROPERTY GENERALLY LOCATED AT SOUTH FOLSOM STREET AND WEST AMARANTH LANE. (RELATED ITEMS: 17-14, 17R-29) (ACTION DATE: 2/27/17) - Mark Palmer, Olsson and Associates, 601 P Street, came forward and stated the property was zoned back in 2005, it has since sat and a developer has come along and decided to develop the property. They are actually down zoning the property from R-4 to R-3. There was a preliminary plat that was conditionally approved at the Planning Commission with unanimous approval. The property today is R-4 to the north and R-3 to the south. There had been a lot of interest in apartments in this area back in 2005. That is not what the current developers intend to do with this property. They are looking to do the standard single-family residential. This is adjacent to the Southwest Village PUD. There is 1.3 million square feet of retail uses approved in the PUD area. This is not the only place in Lincoln where a development is abutting an acreage. On Highway 2 and 84th Street, they have development like this, along with another one in Northeast Lincoln. This area is in conformance with the Comprehensive Plan and again it was zoned as R-3 and R-4 zoning in 2005. The Preliminary Plat meets the City Design Standards and Zoning Standards.

Bob Benes, 1633 Normandy Court, came forward and stated the goal, as the developer, is to build homes in this area. This is just phase one of their plan and they have also purchased ground to the north and they own land almost up to the Spirit Ball Field. This is a big area of development, with potential to have 1000 new homes, a new school, and a great way to help Lincoln grow. This is a great location and there is a lot of talk of expanding places to live in the Downtown area but not everyone wants to live in Downtown and raise a family. Places like this are ideal with the ease of getting to Downtown. They are also working on commercial ideas. There are some users that are already looking into it.

Carl Eskridge, Council Member, inquired about the proposal for a new elementary school.

Mr. Benes stated they do envision a new school but they have not signed any agreement that involved a school.

Mr. Eskridge asked if no school was built, what school would kids go to?

Mr. Benes confirmed the schools to be Adams Elementary, Scott Middle School, and Southwest High School.

Jane Raybould, Council Member, asked about the outreach to the individuals in the neighborhood.

Mr. Benes explained when this was initially zoned and platted they did an outreach with neighborhood meetings. Unfortunately, these meetings were back in 2005. They are simply coming in with less density and a new preliminary plat and they did not notify the immediate neighbors, but they did not feel a neighborhood meeting was necessary because they do not affect very many neighbors driving wise. Their entrance to the development would come off Folsom. They do not connect to the gravel road that will come through the acreage. Some day, the City will require that to be connected, but right now there is no connection.

Cyndi Lamm, Council Member, asked although this area will be less dense, is the area that is platted the same area that was considered in 2005.

Mr. Palmer confirmed it is one portion of the area. The entire parcel from SW 12th Street to Folsom is annexed and in the City limits. This has all been zoned R-3 and R-4 zoning. This is one piece of the large parcel that got annexed and zoned.

Mrs. Lamm shared the individuals who were in opposition at the meeting were concerned about this type of development being adjacent to their neighborhood without transition, would this still be the case with this type of development being less dense than what would have happened in 2005.

Mr. Palmer explained if the market had stayed strong, this development would have been developed with apartments and the entirety would have been a lot denser and that would have been the case with that type of development.

Roy Christensen, Council Member, asked the developer at what point do they think the concerns of the existing neighbors might impact or override their right to develop the property as they see fit.

Mr. Benes stated he grew up on farms and acreages, but he also realizes that growth happens and Lincoln has to grow. They will run into these areas and pockets or acres. When an acre is bought next too, or by abutting land that is zoned and annexed for housing, they have to know that at some point that land will be built on. They are doing the best they can to try and get a good balance.

Rick Peo, City Attorney, came forward and explained he thinks Councils discretion is somewhat taken away in this situation. When the land subdivision was adopted, they put the criteria in for having an approval of a preliminary plat and that preliminary plat is supposed to be designed in accordance with the existing zoning or proposed zoning that would be amenable. If a person complies with all the standards and requirements of the preliminary plat, the ordinance says it should be approved. It really is not a discretionary point of view at that time. The discretion really would fall with asking if the change of zone is appropriate to down zone it from R-4 to R-3 or are the requested waivers appropriate. If all other standards have been met and it conforms to the zoning then the development would have to be allowed to occur.

Jon Wilbeck, 6800 SW 9th Street, came forward in opposition stating his property is directly adjacent from the proposed project. He would request a buffer zone of either green space or lower density lots on the southern edge. The decision from the Planning Commission was not unanimous as stated before.

There was a Planning Commission Member who voted against the plat stating, "lower density in these areas is a good idea, the neighbors raise a good point about transition area. There is no need to add pressure on those folks who have chosen to live in a lower density area. It is more important for the people moving in to get used to conditions."

Ms. Raybould asked what Mr. Wilbeck considered to be a reasonable number of lots that are adjacent to his property.

Mr. Wilbeck stated he proposed reducing the number of lots in block 8 from the proposed 7 to potentially 4.

Mr. Christensen asked at what point does Mr. Wilbeck think the developer can do what they want with their property that can be overridden with Mr. Wilbeck's concerns.

Mr. Wilbeck explained there is no good answer to that question, unless there is an opportunity to sit down and meet and possibly come up with a compromise. The developer or engineer has not reached out to the neighbors since the Planning Commission to try and work something out. There was only a letter from the builders stating if there was any problem during construction to contact them.

Mr. Peo stated regarding an appeal and appeal rights, when anyone appeals a decision from the Planning Commission to City Council, the entire matter comes in front of Council. The appeal decision is not made on individual items. Once one person appeals, the entire preliminary plat comes in front of Council.

Mr. Christensen asked if the Council decided to deny the application, what would the applicants next step be.

Mr. Peo explained the next step would be to appeal the Council's decision to District Court. Discussion followed.

David Cary, Planning Department Director, came forward and clarified the intent of the appeal email sent to Mr. Wilbeck was to clarify that once one appeal has been received the item will come forward in front of Council. At that time, as many people as they would like to come testify can do so.

Jody Kranenzel, 630 W. Denton Road, came forward in opposition stating there was no drainage report and that the water would drain straight down to his property.

Cindy Kranenzel, 630 W. Denton Road, came forward in opposition, and inquired about the road on N. Folsom that is just south of Old Cheney Road that is currently gravel and if that road was going to be upgraded and if that is City owned property or County property.

James Urbauer, 6900 SW. 9th Street, came forward in opposition and proposed that SW 9th Street remain an entry way for just his development and neighbors.

Matthew Thomas, 1111 Gailyn Circle, came forward in opposition.

Michael Sullivan, 6801 SW 9th Street, came forward in opposition.

Mr. Benes came forward and explained when this ground was looked at, it took a long time to come up with the layout that is being proposed. It is a mix of smaller lots and mid sized lots. There are no luxury lots because they felt those lots would work better in another area. There are outlots against the acreage for drainage which will serve as a buffer. A normal lot size in a starter area would be from around 50 - 62 foot wide, with a depth of about 105 - 110 feet deep. These lots are 150 feet deep to allow for another 45 feet of buffer between a normal back lot and to someone's property line. Southpoint only required 100 foot buffer from the commercial property to residential. It is a very expensive first phase of development and they could potentially lose money. They have to put a turn lane on Folsom, bring the sewer quite a ways, build all the drainage, detention cells, and build the storm sewer. There could have been another 20 lots on this property, but they did the best they could to keep the existing neighbors in mind. The current rules are to mail notices out to residents within 200 feet and he understands within this area that might only be a few neighbors and that could be the confusion or the miscommunication.

Jon Camp, Council Member, inquired about the transition concerns of the neighbors.

Mr. Benes shared the lots that are adjacent to the current residence are 150 feet deep and, as you go further east, there is an outlot that is a buffer.

Mr. Camp asked if there were plans for some type of landscaping to assist with the buffer.

Mr. Benes stated they do not have plans to have landscaping. The added depth is a big deal and most people are putting in fences. There is not a big budget for landscape plans.

Mr. Palmer addressed the drainage questions confirming a full drainage study was provided to Ben Higgins, but it was a week late and it did not get into the initial review. They do understand the water and the amount of drainage that flows downward. There will be a 42 inch pipe that will be the primary drainage route. They plan to have all the drainage diverted to run through the 42 inch pipe. When streets, roads, and storm sewers are installed it will not flow in the drainage way that it did before.

Ms. Raybould asked about other developments that are similar to this that are adjacent to acreages and that have already been built if those areas have buffers and how deep are those lots.

Mr. Palmer stated he only worked on one of those developments and those lots are 60x120 all the way around the perimeter, but no specific outlot was dedicated for a buffer.

Ms. Raybould asked Mr. Benes if he considered reducing the number of lots that abuts the acreage.

Mr. Benes shared that their cost on this project compared to a per lot basis compared to Southeast Lincoln is higher just because of the amount of off-site and turn lanes and sewers. This project is also part of the 300 acres north of this. To reduce this and put one lot where two lots could be would require that one lot to be sold for \$100,000. This would result in a loss of money.

Ms. Raybould asked if this project goes forward will the roadways be constructed first, meaning all the storm water and drainage will be in place before constructing the houses.

Mr. Palmer explained the first phase is the southeast portion of the development. This development will not touch 9th Street until that is needed and all access will come up Folsom Street. There will be one access point built today and later a future access point will be built off Folsom. There will be no access to the gravel road that the neighbors use. All the infrastructure will be built and paved before any construction will occur.

Mr. Benes said some sort of development will happen because the land is annexed and zoned. The City will at some point require 9th Street to be connected to the gravel road. The gravel road is a County road.

Mr. Palmer stated he would hope that maybe they do not have connect to the 9th Street connection until after the property has been developed.

Ms. Raybould inquired about the drainage reports given late and the outcome of that report.

Mr. Palmer confirmed he is unaware of input that Mr. Higgins has provided after receiving the report. Discussion followed.

Leirion Gaylor Baird, Council Chair, asked if there were any issues from Planning Department regarding the drainage studies.

Mr. Cary stated there are no issues at this point to be concerned about.

Ms. Gaylor Baird asked about a pedestrian easement that was recommended by Planning but over turned by the Planning Commission.

Mr. Cary explained that there are pedestrian connectivity requirements that can be waived when there are good reasons for that. There are a number of requested waivers with this project and the Planning Department agreed with three of those waivers. The fourth waiver had to do with making a connection in block 7 off of the cul-de-sac. That is a typical block where there would be a pedestrian easement to make for a dozen of lots that would have to walk around the block. Planning did agree to waive that fourth waiver. In this case, it causes out of direction walking of a significant amount. The other two waivers that were requested were to come out to Folsom and there would have not been much of a benefit as far as out of direction sidewalks.

Ms. Gaylor Baird stated there are conflicting accounts in the staff report between whether or not the waiver would require a reduction in the number of lots and how is Council supposed to analyze the conflict.

Mr. Cary said when the staff looked at this they were of the opinion that it would not result in the elimination of lots. It is a typical 15 foot wide easement that is required and that is why Planning pushed to not agree to that waiver.

Ms. Gaylor Baird asked why they agreed to waive a block length of 1000 feet.

Mr. Cary shared that they were reasonable expectations to have pedestrians get around in a fairly short way. The out of direction expectation was not as great on the other waivers.

Trent Fellers, Council Member, asked if this was coming up in front of Council because it is not annexed nor in City limits.

Mr. Peo confirmed the property is annexed and is in City limits, but the problem is, a lot of these decision had already been made back in 2005. Buffer zones were not put on the property at that point even though it was abutting each piece of land. There were a lot of decisions that could have been made that were not made at that time.

Ms. Raybould asked about the pedestrian easement. In some of the other recent developments, was there a requirement or a need to have a pedestrian easement and was that also a requirement by Planning.

Mr. Cary said any recent approval that have gone through for a recent development regarding pedestrian easement has been part of the review process. Planning tries to assess if those easements are reasonable, while also being true to the actual requirement. That requirement is there in residential neighborhoods so pedestrian activity can be fairly easy. They do try to avoid long blocks, and long streets without the pedestrian capability of getting through the block.

Ms. Gaylor Baird asked if there was a relationship between meeting the requirements of the preliminary plat and the existence of waivers and are you actually meeting the requirements of the preliminary plat if you are granted waivers.

Mr. Peo explained that if the waivers are granted then you have met the requirements and, if not, then you have to redesign it to conform to the lack of the waiver, and that is usually conditions of preliminary plats. If it is not waived then a new design is required.

Mr. Palmer clarified they are planning to build a multi-use trail. It would not be a bike trail, but there is a major electrical line that runs along the north side of the property. Discussion followed.

This matter was taken under advisement

COUNCIL ACTION

REPORTS OF CITY OFFICERS

REAPPOINTING LAYNE SUP TO THE LINCOLN ELECTRIC SYSTEM ADMINISTRATIVE BOARD FOR A TERM EXPIRING DECEMBER 31, 2019 - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-90228 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the reappointment of Layne Sup to the Lincoln Electric System Administrative Board, for a term expiring December 31, 2019, is hereby approved.

Introduced by Trent Fellers

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

APPOINTING TAMMY WARD TO THE LINCOLN ELECTRIC SYSTEM ADMINISTRATIVE BOARD FOR A TERM EXPIRING DECEMBER 31, 2019 - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-90229 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of Tammy Ward to the Lincoln Electric System Administrative Board, for a term expiring December 31, 2019, is hereby approved.

Introduced by Trent Fellers

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

APPOINTING DANAY KALKOWSKI TO THE LINCOLN ELECTRIC SYSTEM ADMINISTRATIVE BOARD FOR A TERM EXPIRING DECEMBER 31, 2019 - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-90230 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of DaNay Kalkowski to the Lincoln Electric System Administrative Board, for a term expiring December 31, 2019, is hereby approved.

Introduced by Trent Fellers

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

APPROVING A CONSTRUCTION ENGINEERING SERVICES TASK ORDER AGREEMENT BETWEEN THE CITY OF LINCOLN AND SPEECE LEWIS ENGINEERS, INC. FOR THE 10TH & SALT CREEK BRIDGE REPLACEMENT PROJECT. CITY PROJECT NO. 540027. STATE PROJECT NO. LCLC-5215(3), CN 13233 - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-90231 WHEREAS, City of Lincoln is developing a transportation project for which it intends to obtain Federal funds;

WHEREAS, City of Lincoln as a sub-recipient of Federal-Aid funding is charged with the responsibility of expending said funds in accordance with Federal, State, and local laws, rules, regulations, policies, and guidelines applicable to the funding of the Federal-aid project;

WHEREAS, City of Lincoln and Speece Lewis Engineers, Inc. wish to enter into a Construction Engineering Services Task Order Agreement to provide Preliminary Engineering Services for the Federal-aid project.

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

That the attached Construction Engineering Services Task Order Agreement between the City of Lincoln and Speece Lewis Engineers, Inc. for engineering services for the 10th & Salt Creek Bridge Replacement Project, State Project No. LCLC-5215(3), Control No. 13233, in accordance with the terms and conditions contained in said Agreement, is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

The City Clerk is directed to return the executed copies of the Agreement to Kris Humphrey, Engineering Services, Public Works and Utilities Department, for transmittal and execution by the State Department of Roads.

Introduced by Trent Fellers

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

RESOLUTION SETTING THE INTEREST RATE AND LEVYING THE ASSESSMENTS OF THE BOARD OF EQUALIZATION HELD MONDAY, JANUARY 30, 2017 FOR SEWER DISTRICT 1188 AND PAVING DISTRICT 2631 - CLERK read the following resolution, introduced by Jane Raybould, who moved its adoption:

A-90232 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska that:

The special taxes assessed **January 30, 2017**, to pay the costs of the improvements in **Sewer District 1188 and Paving District 2631** are hereby levied and shall bear interest at **4.9915%** per annum and that the period of time in which the assessments are to be paid shall be as follows:

20 years - Sewer District 1188

20 years - Paving District 2631

Introduced by Jane Raybould

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

REPORT OF BOARD OF EQUALIZATION TO THE CITY COUNCIL ON GROUP I, 2017: SEWER DISTRICT 1188 AND PAVING DISTRICT 2631 - CLERK presented said report which was placed on file in the Office of the City Clerk.

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REPORT FROM CITY TREASURER OF CITY CASH ON HAND AT THE CLOSE OF BUSINESS ON DECEMBER 31, 2016 - CLERK presented said report which was placed on file in the Office of the City Clerk. (5-21)

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTION AND ORDINANCES PASSED BY CITY COUNCIL ON JANUARY 30, 2016 - 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 6, 2017 AT 3:00 P.M. ON THE APPLICATION OF STEELSON LLC DBA LA PAZ MEXICAN RESTAURANT FOR A CLASS I LIQUOR LICENSE AT 321 N. COTNER BLVD - CLERK read the following resolution, introduced by Jane Raybould, who moved its adoption:

A-90233 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, March 6, 2017, 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 Steelson LLC dba La Paz Mexican Restaurant for a Class I Liquor License at 321 N. Cotner Blvd.

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

Introduced by Jane Raybould

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

SETTING THE HEARING DATE OF MONDAY, MARCH 6, 2017 AT 3:00 P.M. ON THE APPLICATION OF LNK2 LODGING LLC DBA FAIRFIELD INN & SUITES FOR A CLASS C LIQUOR LICENSE AT 1000 WEST BOND STREET - CLERK read the following resolution, introduced by Jane Raybould, who moved its adoption:

A-90234 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, March 6, 2017, 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 LNK2 Lodging LLC dba Fairfield Inn & Suites for a Class C Liquor License at 1000 West Bond Street.

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

Introduced by Jane Raybould

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

SETTING THE HEARING DATE OF MONDAY, MARCH 6, 2017 AT 3:00 P.M. ON THE APPLICATION OF BOILER BREWING COMPANY LLC DBA BOILER BREWING COMPANY FOR A CLASS C LIQUOR LICENSE AT 129 N. 10 STREET, SUITE 313 - CLERK read the following resolution, introduced by Jane Raybould, who moved its adoption:

A-90235 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, March 6, 2017, 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 Boiler Brewing Company LLC dba Boiler Brewing Company for a Class C Liquor License at 129 N. 10th Street, Suite 313.

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

Introduced by Jane Raybould

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

SETTING THE HEARING DATE OF MONDAY, MARCH 6, 2017 AT 3:00 P.M. ON THE MANAGER APPLICATION OF MARK E. FORD FOR COTTONWOOD CAFÉ LLC DBA COTTONWOOD CAFÉ AT 440 S. 11TH STREET - CLERK read the following resolution, introduced by Jane Raybould, who moved its adoption:

A-90236 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, March 6, 2017, 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 Mark E. Ford for Cottonwood Café LLC dba Cottonwood Café at 440 S. 11th Street.

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

Introduced by Jane Raybould

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

SETTING THE HEARING DATE OF MONDAY, MARCH 6, 2017 AT 3:00 P.M. ON THE MANAGER APPLICATION OF ANGELIQUE J. CHAPMAN FOR QDOBA RESTAURANT CORPORATION DBA QDOBA MEXICAN GRILL #2647 AT 211 N. 12TH STREET - CLERK read the following resolution, introduced by Jane Raybould, who moved its adoption:

A-90237 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, March 6, 2017, 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 Angelique J. Chapman for Qdoba Restaurant Corporation dba Qdoba Mexican Grill #2647 at 211 N. 12th Street.

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

Introduced by Jane Raybould

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

SETTING THE HEARING DATE OF MONDAY, MARCH 6, 2017 AT 3:00 P.M. ON THE MANAGER APPLICATION OF MICHAEL B. BARTON FOR BW&R CANOPY LLC DBA BUFFALO WINGS & RINGS AT 350 CANOPY STREET, SUITE 200 - CLERK read the following resolution, introduced by Jane Raybould, who moved its adoption:

A-90238 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, March 6, 2017, 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 Michael B. Barton for BW&R Canopy LLC dba Buffalo Wings & Rings at 350 Canopy Street, Suite 200.

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

Introduced by Jane Raybould

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

THE FOLLOWING WERE REFERRED TO THE PLANNING DEPT.:

Change of Zone No. 08010A - Requested by Clark Enersen Partners, to add a maximum of 275 apartment units to the commercial center and reduce the overall commercial area, with a development plan which proposes to modify standards of the underlying zoning district, on property generally located at NW 48th Street and West Holdrege Street.

Special Permit No. 1995B - Requested by Clark Enersen Partners, to convert the apartment area to single-family attached and townhome units, with waivers to block length, lot area, lot width, and setbacks on property generally located at NW 48th Street and West Holdrege Street.

Change of Zone No. 16041 - Requested by Clark Enersen Partners, from AG (Agricultural District) to R-3 (Residential District), on property generally located at North 7th Street and Alvo Road.

Special Permit No. 872I - Requested by Firethorn Golf Company, for a modification to Special Permit No. 872 to adjust the sign requirements for special permitted uses to allow for increased sign area, and to permit allowed signs within the front yard, on generally located southeast of South 84th and Van Dorn Streets.

Special Permit No. 16009 - Requested by Barbara Phalen, for the construction of a carport, on property generally located at 1801 Kings Highway.

LIQUOR RESOLUTIONS

APPLICATION OF CEREUS SNOWBIRDS, LLC DBA BODEGA'S ALLEY FOR A CLASS C LIQUOR LICENSE AT 1418 O STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-90239 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 Cereus Snowbirds, LLC dba Bodega's Alley for a Class "C" liquor license at 1418 O Street, Lincoln, Nebraska, for the license period ending October 31, 2017, 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 & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

MANAGER APPLICATION OF RYAN C. DETLEFSEN FOR CEREUS SNOWBIRDS, LLC DBA BODEGA'S ALLEY AT 1418 O STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-90240 WHEREAS, Cereus Snowbirds, LLC dba Bodega's Alley located at 1418 O Street, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that Ryan C. Detlefsen be named manager;

WHEREAS, Ryan C. Detlefsen 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 Ryan C. Detlefsen be approved as manager of this business for said licensee.

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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 & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

APPLICATION OF BLUR PARTIES, INC. DBA BLUR PARTIES FOR A CLASS DK LIQUOR LICENSE AT 2501 WEST L STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-90241 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 Blur Parties, Inc. dba Blur Parties for a Class "DK" liquor license at 2501 West L Street, Lincoln, Nebraska, for the license period ending April 30, 2017, be approved with the condition that:

1. Applicant must successfully complete the responsible beverage manager training course required by Section 5.04.035 of the Lincoln Municipal Code prior to receiving the liquor license from the City Clerk.

2. All employees must possess a valid Responsible Beverage Server/Seller Permit as required by Section 5.04.124 of the Lincoln Municipal Code.

3. 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 & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

MANAGER APPLICATION OF STACY C. LENERS FOR BLUR PARTIES, INC. DBA BLUR PARTIES AT 2501 WEST L STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-90242 WHEREAS, Blur Parties, Inc. dba Blur Parties located at 2501 West L Street, Lincoln, Nebraska has been approved for a Retail Class "DK" liquor license, and now requests that Stacy C. Leners be named manager;

WHEREAS, Stacy C. Leners 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 Stacy C. Leners 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 & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

APPLICATION OF SAI PROPERTIES, INC. DBA COMFORT SUITES EAST LINCOLN FOR A CLASS I LIQUOR LICENSE AT 331 N COTNER BOULEVARD - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-90243 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 Sai Properties, Inc. dba Comfort Suites East Lincoln for a Class "I" liquor license at 331 N Cotner Boulevard, Lincoln, Nebraska, for the license period ending April 30, 2017, be approved with the condition that:

1. Applicant must successfully complete the responsible beverage manager training course required by Section 5.04.035 of the Lincoln Municipal Code prior to receiving the liquor license from the City Clerk.

2. All employees must possess a valid Responsible Beverage Server/Seller Permit as required by Section 5.04.124 of the Lincoln Municipal Code.

3. 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 & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

MANAGER APPLICATION OF GWENDOLYN D. FERGUSON FOR SAI PROPERTIES, INC. DBA COMFORT SUITES EAST LINCOLN AT 331 N COTNER BOULEVARD - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-90244 WHEREAS, Sai Properties, Inc. dba Comfort Suites East Lincoln located at 331 N Cotner Boulevard, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Gwendolyn D. Ferguson be named manager;

WHEREAS, Gwendolyn D. Ferguson 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 Gwendolyn D. Ferguson 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 & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

PUBLIC HEARING - RESOLUTIONS

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, 2017 - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-90245 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the claims listed in the attached report, marked as Exhibit "A", dated January 16, 2017, of various new and pending tort claims filed against the City of Lincoln with the Office of the City Attorney or the Office of the City Clerk, as well as claims which have been disposed of, are hereby received as required by Neb. Rev. Stat. § 13-905 (Reissue 1997). The dispositions of claims by the Office of the City Attorney, as shown by the attached report, are hereby approved:

<u>DENIED CLAIMS</u>		<u>ALLOWED/SETTLED CLAIMS</u>	
Pamela West	\$ 152.45	Lyle Shearer	\$ 3,023.25
Deb Trainor	183.78	Stephanie Lofton	862.27
Lauryl Schumacher	1,577.90	Kevin Helm	272.98
Alan Gorsett o/b/o		Mike Kinser	48.33
Michelle Gorsett	NAS*		

<u>DENIED CLAIMS</u>		<u>L.E.S. CLAIMS</u>	
Phoenix Loss Control o/b/o		Brenda Bolejack	\$ 182.72
Time Warner Cable	\$ 455.00	Phoenix Loss Control o/b/o	
Tyrone Robinson & Bertilia Davila	351.95	Time Warner Cable	438.75
Tyrone Robinson & Bertilia Davila	228.61	TJ Cable	5,100.00
Arck Foods, Inc.	3,890.00	Phoenix Loss Control o/b/o	
Claims Management Resources o/b/o		Time Warner Cable	1,783.15
Windstream	1,154.80		
Molly Leffers	125.00		
Phoenix Loss Control o/b/o			
Time Warner Cable	438.75		
Leslie Brooker	60.00		
Lois R. Rood	486.59		
Lincoln Orthopaedic Center	NAS*		

* No Amount Specified

The City Attorney is hereby directed to mail to the various claimants listed herein a copy of this resolution which shows the final disposition of their claim.

Introduced by Trent Fellers

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

COMP. PLAN CONFORMANCE 16014 – APPROVING AN AMENDMENT TO THE LINCOLN CENTER REDEVELOPMENT PLAN TO ADD THE “11TH AND P HOTEL AND LINCOLN COMMERCIAL CLUB REDEVELOPMENT PROJECT” TO REMOVE BLIGHTED AND SUBSTANDARD CONDITIONS THROUGH THE RENOVATION OF TWO OF DOWNTOWN LINCOLN’S OLDER BUILDINGS, INCLUDING THE LINCOLN COMMERCIAL CLUB BUILDING AT 200 NORTH 11TH AND THE BUILDING AT 216 NORTH 11TH STREET - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption

A-90246 WHEREAS, the City Council has previously adopted the Lincoln Center Redevelopment Plan (hereinafter the “Plan”) including plans for various redevelopment projects within the Redevelopment Plan area in accordance with the requirements and procedures of the Nebraska Community Development Law; and now desires to modify said plan by establishing the “11th and P Hotel and Lincoln Commercial Club Redevelopment Project” to remove blighted and substandard conditions through the renovation of two of Downtown Lincoln’s older buildings, including the Lincoln Commercial Club Building at 200 North 11th Street and the building at 216 North 11th Street; and

WHEREAS, the Director of the Urban Development Department has filed with the City Clerk modifications to the Redevelopment Plan contained in the document entitled the "Amendment to the Lincoln Center Redevelopment Plan, 11th and P Hotel & Lincoln Commercial Club Redevelopment Project" which is attached hereto, marked as Attachment "A", and made a part hereof by reference, and has reviewed said plan and has found that it meets the conditions set forth in Neb. Rev. Stat. § 18-2111 and § 18-2113 (Reissue 2012); and

WHEREAS, on January 6, 2017, a notice of public hearing was mailed postage prepaid to the president or chairperson of the governing body of each county, school district, community college, educational service unit, and natural resource district in which the real property subject to such plan is located and whose property tax receipts would be directly affected and to all registered neighborhood associations located in whole or in part within one mile radius of the area to be redeveloped setting forth the time, date, place, and purpose of the public hearing to be held on January 18, 2017 before the Lincoln City - Lancaster County Planning Commission regarding the proposed amendments to the Redevelopment Plan to add the 11th and P Hotel & Lincoln Commercial Club Redevelopment Project, a copy of said notice and list of said governing bodies and registered neighborhood associations having been attached hereto as Attachment "B" and "C" respectively; and

WHEREAS, the proposed Amendments to the Lincoln Center Redevelopment Plan to add the 11th and P Hotel & Lincoln Commercial Club Redevelopment Project were submitted to the Lincoln-Lancaster County Planning Commission for review and recommendations, and, on January 18, 2017, the Lincoln-Lancaster County Planning Commission held a public hearing relating to the Plan Amendments and found the Plan Amendments to be in conformance with the Comprehensive Plan and recommended approval thereof; and

WHEREAS, on January 27, 2017, a notice of public hearing was mailed postage prepaid to the foregoing list of governing bodies and registered neighborhood associations setting forth the time, date, place, and purpose of the public hearing before the City Council to be held on February 13, 2017 regarding the proposed amendments to the Redevelopment Plan to add the 11th and P Hotel & Lincoln Commercial Club Redevelopment Project, a copy of said notice having been attached hereto as Attachment "D"; and

WHEREAS, on January 27, 2017 and February 3, 2017, a Notice of Public Hearing was published in the Lincoln Journal Star newspaper, setting the time, date, place, and purpose of the public hearing to be held on February 13, 2017 regarding the proposed amendments to the Lincoln Center Redevelopment Plan and to add the 11th and P Hotel & Lincoln Commercial Club Redevelopment Project, a copy of such notice having been attached hereto and marked as Attachment "E"; and

WHEREAS, on February 13, 2017 in the City Council chambers of the County-City Building, 555 South 10th Street, Lincoln, Nebraska, the City Council held a public hearing relating to the proposed modifications to the Redevelopment Plan and all interested parties were afforded at such public hearing a reasonable opportunity to express their views respecting said proposed modifications to the redevelopment plan; and

WHEREAS, the City Council has duly considered all statements made and materials submitted relating to said proposed modifications to the redevelopment plan.

NOW, THEREFORE, IT IS FOUND AND DETERMINED by the City Council of the City of Lincoln, Nebraska as follows:

1. That the 11th and P Hotel & Lincoln Commercial Club Redevelopment Project is described in sufficient detail and is designed with the general purpose of accomplishing a coordinated, adjusted, and harmonious development of the City and its environs which will promote the general health, safety, and welfare; the sound design and arrangement; the wise and efficient expenditure of public funds; and the prevention of the recurrence of unsanitary or unsafe dwelling accommodations or conditions of blight.
2. That incorporating the 11th and P Hotel & Lincoln Commercial Club Redevelopment Project into the Lincoln Center Redevelopment Plan is feasible and in conformity with the general plan for the development of the City of Lincoln as a whole and said Plan is in conformity with the legislative declarations and determinations set forth in the Community Development Law.
3. That the 11th and P Hotel & Lincoln Commercial Club Redevelopment Project would not be economically feasible without the use of tax-increment financing.
4. That the improvements to be implemented by the 11th and P Hotel & Lincoln Commercial Club Redevelopment Project would not occur in the community redevelopment area without the use of tax-increment financing.
5. That the costs and benefits of the redevelopment activities, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services have been analyzed by the City Council as the governing body for the City of Lincoln and have been found to be in the long-term best interest of the City of Lincoln.

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

1. That the document attached hereto as Attachment "A" adding the 11th and P Hotel & Lincoln Commercial Club Redevelopment Project to the Lincoln Center Redevelopment Plan, is hereby accepted and approved by the City Council as the governing body for the City of Lincoln.
2. That the Urban Development Director, or his authorized representative, is hereby authorized and directed to take all steps necessary to implement the provisions of said Redevelopment Plan as they relate to the above-described modifications.

3. That the 11th and P Hotel & Lincoln Commercial Club Redevelopment Project Area as described and depicted in the Plan Amendment is the Redevelopment Project Area comprising the property to be included in the area subject to the tax increment provision authorized in the Nebraska Community Development Law.

4. That the Finance Director is hereby authorized and directed to cause to be drafted and submitted to the City Council any appropriate ordinances and documents needed for the authorization to provide necessary funds including Community Improvement Financing in accordance with the Community Development Law to finance related necessary and appropriate public acquisitions, improvements, and other activities set forth in said Plan Amendment to the Lincoln Center Redevelopment Plan.

Introduced by Trent Fellers

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

COMP. PLAN CONFORMANCE 16012 – APPROVING AN AMENDMENT TO THE ANTELOPE VALLEY REDEVELOPMENT PLAN TO ADD THE “TELEGRAPH DISTRICT PHASE 2: TELEGRAPH FLATS & TELEGRAPH LOFTS EAST REDEVELOPMENT PROJECT” TO CREATE A MIXED-USE RESIDENTIAL AND RETAIL AREA IN WHAT WAS FORMERLY THE FISHER FOODS SITE GENERALLY LOCATED SOUTHEAST OF 20TH AND N STREETS AND A 3-STORY MIXED-USE BUILDING PROVIDING FOR FIRST FLOOR RETAIL/RESTAURANT USES, LIVE/WORK LOFT, AND MULTI-FAMILY HOUSING WITH UPPER FLOORS CONTAINING ABOUT 46 RESIDENTIAL UNITS WITH A COMBINED AREA OF 61,975 SQUARE FEET, UNDERGROUND PARKING AND OFF-STREET SURFACE PARKING ARE ALSO INCLUDED, AND RENOVATED STREETScape IMPROVEMENTS ARE PLANNED THROUGHOUT THE PHASE 2 PROJECT AREA, ON PROPERTY GENERALLY LOCATED BETWEEN L STREET AND THE ALLEY NORTH OF N STREET, AND SOUTH 20TH STREET TO THE ANTELOPE VALLEY CHANNEL, INCLUDING THE MUNY POOL BUILDING - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-90247

WHEREAS, the City Council has previously adopted the Antelope Valley Redevelopment Plan (hereinafter the “Plan”) – including plans for various redevelopment projects within the Redevelopment Plan area in accordance with the requirements and procedures of the Nebraska Community Development Law; and now desires to modify said plan by establishing the “Telegraph District Phase 2: Telegraph Flats & Telegraph Lofts East Redevelopment Project” consisting of two subphases – Telegraph Flats rehabs and reuses the former Fisher Foods campus, creating a mixed-use residential and retail area, and Telegraph Lofts East consists of approximately 61,975 square feet, for a 3-story mixed-use building providing for first floor retail/restaurant uses, live/work loft, and multi-family housing with upper floors containing about 46 residential units. Underground parking and off-street surface parking are also included, and renovated streetscape improvements are planned throughout the Phase 2 project area; and

WHEREAS, the Director of the Urban Development Department has filed with the City Clerk modifications to the Redevelopment Plan contained in the document entitled the “Amendment to the Antelope Valley Redevelopment Plan, Telegraph District Phase 2: Telegraph Flats and Telegraph Lofts East Redevelopment Project” which is attached hereto, marked as Attachment “A”, and made a part hereof by reference, and has reviewed said plan and has found that it meets the conditions set forth in Neb. Rev. Stat. § 18-2111 and § 18-2113 (Reissue 2012); and

WHEREAS, on January 6, 2017, a notice of public hearing was mailed postage prepaid to the president or chairperson of the governing body of each county, school district, community college, educational service unit, and natural resource district in which the real property subject to such plan is located and whose property tax receipts would be directly affected and to all registered neighborhood associations located in whole or in part within one mile radius of the area to be redeveloped setting forth the time, date, place, and purpose of the public hearing to be held on January 18, 2017 before the Lincoln City - Lancaster County Planning Commission regarding the proposed amendments to the Redevelopment Plan to add the Telegraph District Phase 2: Telegraph Flats & Telegraph Lofts East Redevelopment Project, a copy of said notice and list of said governing bodies and registered neighborhood associations having been attached hereto as Attachment “B” and “C” respectively; and

WHEREAS, on January 18, 2017, the Lincoln City - Lancaster County Planning Commission adopted a motion to delay the public hearing and review of the Telegraph District Phase 2: Telegraph Flats & Telegraph Lofts East Redevelopment Project redevelopment plan amendment to February 1, 2017 at the request of the City of Lincoln; and

WHEREAS, on January 20, 2017, a notice of public hearing was mailed postage prepaid to the president or chairperson of the governing body of each county, school district, community college, educational service unit, and natural resource district in which the real property subject to such plan is located and whose property tax receipts would be directly affected and to all registered neighborhood associations located in whole or in part within one mile radius of the area to be redeveloped setting forth the time, date, place, and purpose of the public hearing to be held on February 1, 2017 before the Lincoln City - Lancaster County Planning Commission regarding the proposed amendments to the Redevelopment Plan to add the Telegraph District Phase 2: Telegraph Flats & Telegraph Lofts East Redevelopment Project, a copy of said notice having been attached hereto as Attachment “D” respectively; and

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WHEREAS, the proposed Amendments to the Antelope Valley Redevelopment Plan to add the Telegraph District Phase 2: Telegraph Flats & Telegraph Lofts East Redevelopment Project were submitted to the Lincoln-Lancaster County Planning Commission for review and recommendations, and, on February 1, 2017, the Lincoln-Lancaster County Planning Commission held a public hearing relating to the Plan Amendments and found the Plan Amendments to be in conformance with the Comprehensive Plan and recommended approval thereof; and

WHEREAS, on February 3, 2017 a notice of public hearing was mailed postage prepaid to the foregoing list of governing bodies and registered neighborhood associations setting forth the time, date, place, and purpose of the public hearing before the City Council to be held on February 13, 2017 regarding the proposed amendments to the Redevelopment Plan to add the Telegraph District Phase 2: Telegraph Flats & Telegraph Lofts East Redevelopment Project, a copy of said notice having been attached hereto as Attachment "E"; and

WHEREAS, on January 27, 2017 and February 3, 2017, a Notice of Public Hearing was published in the Lincoln Journal Star newspaper, setting the time, date, place, and purpose of the public hearing to be held on February 13, 2017 regarding the proposed amendments to the Antelope Valley Redevelopment Plan and to add the Telegraph District Phase 2: Telegraph Flats & Telegraph Lofts East Redevelopment Project, a copy of such notice having been attached hereto and marked as Attachment "F"; and

WHEREAS, on February 13, 2017 in the City Council chambers of the County-City Building, 555 South 10th Street, Lincoln, Nebraska, the City Council held a public hearing relating to the proposed modifications to the Redevelopment Plan and all interested parties were afforded at such public hearing a reasonable opportunity to express their views respecting said proposed modifications to the redevelopment plan; and

WHEREAS, the City Council has duly considered all statements made and materials submitted relating to said proposed modifications to the redevelopment plan.

NOW, THEREFORE, IT IS FOUND AND DETERMINED by the City Council of the City of Lincoln, Nebraska as follows:

1. That the Telegraph District Phase 2: Telegraph Flats & Telegraph Lofts East Redevelopment Project is described in sufficient detail and is designed with the general purpose of accomplishing a coordinated, adjusted, and harmonious development of the City and its environs which will promote the general health, safety, and welfare, sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of unsanitary or unsafe dwelling accommodations or conditions of blight.
2. That incorporating the Telegraph District Phase 2: Telegraph Flats & Telegraph Lofts East Redevelopment Project into the Antelope Valley Redevelopment Plan is feasible and in conformity with the general plan for the development of the City of Lincoln as a whole and said Plan is in conformity with the legislative declarations and determinations set forth in the Community Development Law.
3. That the Telegraph District Phase 2: Telegraph Flats & Telegraph Lofts East Redevelopment Project would not be economically feasible without the use of tax-increment financing.
4. That the improvements to be constructed as part of the Telegraph District Phase 2: Telegraph Flats & Telegraph Lofts East Redevelopment Project would not be constructed in the community redevelopment area without the use of tax-increment financing.
5. That the costs and benefits of the redevelopment activities, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services have been analyzed by the City Council as the governing body for the City of Lincoln and have been found to be in the long-term best interest of the City of Lincoln.

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

1. That the document attached hereto as Attachment "A" adding the Telegraph District Phase 2: Telegraph Flats & Telegraph Lofts East Redevelopment Project to the Antelope Valley Redevelopment Plan, is hereby accepted and approved by the City Council as the governing body for the City of Lincoln.
2. That the Urban Development Director, or his authorized representative, is hereby authorized and directed to take all steps necessary to implement the provisions of said Redevelopment Plan as they relate to the above-described modifications.
3. That the Telegraph District Phase 2: Telegraph Flats & Telegraph Lofts East Redevelopment Project Area as described and depicted in the Plan Amendment is the Redevelopment Project Area comprising the property to be included in the area subject to the tax increment provision authorized in the Nebraska Community Development Law.
4. That the Finance Director is hereby authorized and directed to cause to be drafted and submitted to the City Council any appropriate ordinances and documents needed for the authorization to provide necessary funds including Community Improvement Financing in accordance with the Community Development Law to finance related necessary and appropriate public acquisitions, improvements, and other activities set forth in said Plan Amendment to the Antelope Valley Redevelopment Plan.

Introduced by Trent Fellers

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

PUBLIC HEARING ORDINANCES - 2ND READING & RELATED RESOLUTIONS

APPROVING THE TRANSFER OF FUNDS FROM APPROVED APPROPRIATIONS INTO THE PARKS & RECREATION DEPARTMENT HVAC PROJECT FUND #465 CIP FOR RENOVATION OF THE HVAC (HEATING, VENTILATION, AIR CONDITIONING) SYSTEM AT BELMONT RECREATION CENTER - PRIOR to reading:

FELLERS Moved to continue Public Hearing to 02/27/17 with Action on 03/06/17.

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

CLERK Read an ordinance, introduced by Trent Fellers, approving the transfer of funds from approved appropriations into the Parks & Recreation Department HVAC Project Fund #465 CIP for renovation of the HVAC (heating, ventilation, air conditioning) system at Belmont Recreation Center, the second time.

APPROVING THE 1222 P STREET REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF LINCOLN AND BRICK AND MORTAR INVESTMENTS, LLC RELATING TO THE REDEVELOPMENT OF PROPERTY LOCATED AT 1222 P STREET TO DEMOLISH THE EXISTING BUILDING EXCEPT FOR APPROXIMATELY THE FRONT 20 FEET ABUTTING P STREET, BY RENOVATING THE FAÇADE OF THE EXISTING BUILDING, AND BY CONSTRUCTING THREE NEW STORIES OVER A PORTION OF THE EXISTING TWO STORY BUILDING TO BE USED FOR RETAIL AND RESIDENTIAL SPACE. (RELATED ITEMS 17R-37, 17R-38, 17-17) (ACTION DATE: 2/27/17)

AMENDING THE FY 16/17 CIP TO AUTHORIZE AND APPROPRIATE \$470,000 IN TIF FUNDS FOR THE 1222 P STREET PROJECT. (RELATED ITEMS 17R-37, 17R-38, 17-17) (ACTION DATE: 2/27/17)

ORDINANCE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$470,000 AGGREGATE PRINCIPAL AMOUNT OF 1222 P STREET REDEVELOPMENT PROJECT TAX ALLOCATION BONDS. (RELATED ITEMS 17R-37, 17R-38, 17-17) - CLERK read an ordinance, introduced by Trent Fellers, authorizing and providing for the issuance of City of Lincoln, Nebraska Tax Allocation Bonds, notes or other obligations, in one or more taxable or tax-exempt series, in an aggregate principal amount not to exceed \$470,000 for the purpose of (1) paying the costs of acquiring, purchasing, constructing, reconstructing, improving, extending, rehabilitating, installing, equipping, furnishing and completing certain improvements within the City's 1222 P Street Redevelopment Project Area, and (2) paying the costs of issuance thereof; prescribing the form and certain details of the bonds, notes or other obligations; pledging certain tax revenue and other revenue to the payment of the principal of and interest on the bonds, notes or other obligations as the same become due; limiting payment of the bonds, notes or other obligations to such tax revenues; creating and establishing funds and accounts; delegating, authorizing and directing the finance director to exercise his independent discretion and judgment in determining and finalizing certain terms and provisions of the bonds, notes or other obligations not specified herein; taking other actions and making other covenants and agreements in connection with the foregoing; and related matters, the second time.

AMENDING CHAPTER 8.32 OF THE LINCOLN MUNICIPAL CODE RELATING TO SOLID WASTES BY AMENDING SECTION 8.32.010 TO CHANGE THE DEFINITIONS OF BUILDING RUBBISH AND DEMOLITION DEBRIS TO INCLUDE ROOF SHINGLES AND OTHER ROOF COVERINGS IN THOSE DEFINITIONS; AND REPEALING SECTION 8.32.010 AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Trent Fellers, amending Chapter 8.32 of the Lincoln Municipal Code relating to Solid Wastes by amending Section 8.32.010 to change the definitions of Building rubbish and Demolition debris to include roof shingles and other roof coverings in those definitions; and repealing Section 8.32.010 as hitherto existing, the second time.

STREET & ALLEY VACATION 16006 – VACATING A PORTION OF THE NORTH 35TH STREET RIGHT-OF-WAY STUB DIRECTLY NORTH OF SUPERIOR STREET (RELATED ITEMS: 17-20, 17-21) - PRIOR to reading:

CHRISTENSEN Moved to continue Public Hearing to 02/27/17.

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

CLERK Read and ordinance introduced by Trent Fellers, vacating a portion of Superior Street for the North 35th Street right-of-way stub directly north of Superior Street, located in the Southeast Quarter of Section 6, Township 10 North, Range 7 East of the 6th P.M., Lincoln, Lancaster County, Nebraska, and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the second time.

CHANGE OF ZONE 16038 – APPLICATION OF ROBERT ROKEBY FOR A CHANGE OF ZONE TO DESIGNATE EXISTING R-3 ZONED PROPERTY AS A PLANNED UNIT DEVELOPMENT DISTRICT; AND APPROVAL OF THE DEVELOPMENT PLAN FOR THE TERRACE GARDENS PLANNED UNIT DEVELOPMENT, WHICH PROPOSES MODIFICATIONS TO THE ZONING ORDINANCE, LAND SUBDIVISION ORDINANCE, AND DESIGN STANDARDS TO ALLOW FOR A MIX OF SINGLE-FAMILY, SINGLE-FAMILY ATTACHED, COMMERCIAL, AND AGRICULTURAL USES, ON PROPERTY GENERALLY LOCATED AT SUPERIOR STREET AND NORTH 35TH STREET. (RELATED ITEMS: 17-20, 17-21) - PRIOR to reading:

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CHRISTENSEN Moved to continue Public Hearing to 02/27/17.

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

CLERK Read and ordinance introduced by Trent Fellers, 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 second time.

CHANGE OF ZONE 16044 – APPLICATION OF SOUTHWEST FOLSOM DEVELOPMENT, LLC FOR A CHANGE OF ZONE FROM R-4 RESIDENTIAL DISTRICT TO R-3 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT SOUTH FOLSOM STREET AND WEST AMARANTH LANE - CLERK read an ordinance, introduced by Carl Eskridge, 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 second time.

PRELIMINARY PLAT 16008 – APPEAL OF JON WILBECK, JAMES URBAUER, MICHAEL AND ANNATA SULLIVAN, HEIDI WRIGHT, LARRY D. FRAHM, MATTHEW L. THOMAS, AND JODY P. KRANENZEL FROM THE PLANNING COMMISSION'S APPROVAL OF A NEW R-3 RESIDENTIAL DISTRICT PRELIMINARY PLAT, WITH REQUESTED WAIVERS TO SUBDIVISION REGULATIONS AND DESIGN STANDARDS, ON PROPERTY GENERALLY LOCATED AT SOUTH FOLSOM STREET AND WEST AMARANTH LANE. (RELATED ITEMS: 17-14, 17R-29) (ACTION DATE: 2/27/17)

ORDINANCES - 3RD READING & RELATED RESOLUTIONS

ANNEXATION 16014 – AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 9.25 ACRES OF PROPERTY GENERALLY LOCATED AT NORTHWEST 48TH STREET AND WEST HOLDREGE STREET. (RELATED ITEMS: 17-12, 17-13) - CLERK read an ordinance, introduced by Carl Eskridge, 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.

ESKRIDGE Moved to pass the ordinance as read.

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

The ordinance, being numbered **#20444**, is recorded in Ordinance Book 32.

CHANGE OF ZONE 07063A – APPLICATION OF RINGNECK DEVELOPMENT, LLC, TO AMEND THE I-80 WEST LINCOLN BUSINESS CENTER PLANNED UNIT DEVELOPMENT FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT; UNDER A PLANNED UNIT DEVELOPMENT DISTRICT DESIGNATION OF SAID PROPERTY; AND TO APPROVE AN AMENDED DEVELOPMENT PLAN WHICH PROPOSES MODIFICATIONS TO THE ZONING ORDINANCE AND DESIGN STANDARDS TO ALLOW THE DEVELOPMENT OF UP TO 41 DWELLING UNITS, WITH A MIX OF SINGLE-FAMILY DETACHED AND ATTACHED UNITS, ON PROPERTY GENERALLY LOCATED AT NORTHWEST 48TH STREET AND WEST HOLDREGE STREET (RELATED ITEMS: 17-12, 17-13) - CLERK read an ordinance, introduced by Carl Eskridge, 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 third time.

ESKRIDGE Moved to pass the ordinance as read.

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

The ordinance, being numbered **#20445**, is recorded in Ordinance Book 32.

TEXT AMENDMENT 16017 – AMENDING SECTIONS 4.36.010, 4.36.030, 4.36.040, 4.36.050, 27.06.070, 27.06.100, 27.06.130, 27.06.170, 27.06.180, 27.25.080, 27.35.080, 27.56.017, 27.56.120, 27.56.160, 27.57.150, 27.62.040, 27.63.175, 27.69.040, AND 27.72.030, REPEALING SAID SECTIONS AS HITHERTO EXISTING, ADDING A NEW SECTION 4.36.070, AND REPEALING SECTION 27.67.050; TO ADD ZONING APPLICATION REVIEW RESPONSIBILITIES FOR THE URBAN DESIGN COMMITTEE, THE CAPITOL ENVIRONS DISTRICT, AND HISTORIC PRESERVATION COMMISSION; TO AMEND PROVISIONS REGARDING THE CAPITOL ENVIRONS DISTRICT TO REVISE DEFINITIONS, AND MODIFY ADDITIONAL HEIGHT AND AREA REQUIREMENTS; TO AMEND ZONING REGULATIONS REGARDING THE B-4 DISTRICT, TO DELETE CERTAIN USES FROM THE B-4 DISTRICT, TO PROVIDE THERE IS NO REQUIRED PARKING IN THE B-4 DISTRICT, TO DELETE B-4 DISTRICT SPECIAL PARKING REQUIREMENTS, AND TO MODIFY B-4 DISTRICT SIGN REQUIREMENTS AND HEIGHT AND LOT REQUIREMENTS; TO AMEND B-4 AND O-1 ZONING REGULATIONS TO PROVIDE THAT IN THE B-4 AND O-1 DISTRICTS APPLICATION FOR A BUILDING PERMIT SHALL BE REVIEWED FOR COMPLIANCE WITH

SUBAREA DESIGN STANDARDS; AND TO DEFINE B-4 AND O-1 ZONED AREAS SUBJECT TO SOUTH HAYMARKET DESIGN STANDARDS. (RELATED ITEMS 17-15, 17R-26) - CLERK read an ordinance, introduced by Carl Eskridge, amending provisions of the Lincoln Municipal Code related to Zoning by amending Chapter 4.36 of the Lincoln Municipal Code relating to the Urban Design Committee by amending Section 4.36.010 to capitalize the name City; by amending Section 4.36.030 to expand the duties of the Committee to include advising other public agencies and acting as the Appeals Board for appeals of administrative decisions relating to the Downtown, South Haymarket, and Neighborhood Design Standards for zoning regulations; by amending Section 4.36.040 to clarify the Urban Design Committee review process is advisory and to modify the process; by amending Section 4.36.050 to require the Committee when acting as the Appeal Board to give notice of public hearing as provided in Chapter 1.00 of the City of Lincoln Design Standards; by adding a new Section 4.36.070 to provide that findings and actions of the Urban Design Committee acting as the Appeals Board may be appealed as provided in Chapter 1.00 of the City of Lincoln Design Standards; by amending Sections 27.06.070, 27.06.100, 27.06.130, 27.06.170, and 27.06.180 to update the Household Living, Civic Services, Retail Sales and Services, Heavy Commercial Services, and Manufacturing, Processing, Storage and Distribution Use Group Tables to delete certain commercial and industrial uses in the B-4 District; by amending Section 27.25.080, relating to O-1 Office District to provide that applications for a building permit shall be reviewed for compliance with Subarea Design Standards and to define an O-1 zoned area subject to the South Haymarket Design Standards; by amending Section 27.35.080, relating to B-4 Lincoln Center Business District, to provide that applications for a building permit shall be reviewed for compliance with Subarea Design Standards, to define a B-4 zoned area subject to the South Haymarket Design Standards, and to repeal Figure 27.35.070 (a) B-4 Lincoln Center Business District Height Regulations which has been superseded by Figure 27.72.030 (a); by amending Section 27.56.017, relating to the Capitol Environs District, to revise the definitions of Capitol Environs District and Capitol View Corridors; by amending Sections 27.56.120 and 27.57.150, relating to the Capitol Environs District and the Historic Preservation District respectively, to revise the timeframe for the Nebraska Capitol Environs Commission and the Preservation Commission approving or denying an application; by amending Section 27.56.160, relating to the Capitol Environs District, to change street references from South 15th Street to Goodhue Boulevard and to clarify that new buildings, facing one of the malls abutting Capitol Square, shall have an eave or cornice line of at least 30 feet in height on Centennial Mall and Lincoln Mall and at least 20 feet in height on Goodhue Boulevard and J Street; by amending Section 27.62.040, relating to the Household Living Use Group, to delete dwelling units as a conditional use in the B-4 zoning district; by amending Section 27.63.175, relating to Special Permits, to provide that parking garages allowed by special permit in the O-1 District shall not abut Capitol Square or J Street West of 9th Street; by amending Figure 27.67.020, relating to Parking, to provide that there is no required parking in the B-4 District; by repealing Section 27.67.050, relating to Parking, to delete the B-4 district special parking requirements; by amending Section 27.69.040, relating to signs, by amending Table 3 Signs for Commercial and Industrial Zoning Districts to provide that beginning 150 feet west of 9th Street and continuing to the western boundary of the B-4 District the maximum height of any free standing sign is eight feet tall; by amending Section 27.72.030, relating to Height and Lot Regulations in the B-4 district to expand the exception to the general building height requirements to include all of the B-4 district, to modify the general yard requirement in the B-4 district to require a 5 foot yard adjacent to any wall of a building which contains windows for a dwelling, to provide that an abutting street may be counted as part or all of the required yard; and repealing Sections 4.36.010, 4.36.030, 4.36.040, 4.36.050, 27.06.070, 27.06.100, 27.06.130, 27.06.170, 27.06.180, 27.25.080, 27.35.080, 27.56.017, 27.56.120, 27.56.160, 27.57.150, 27.62.040, 27.63.175, 27.69.040, and 27.72.030 as hitherto existing, the third time.

ESKRIDGE Moved to pass the ordinance as read.

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

The ordinance, being numbered #20446, is recorded in Ordinance Book 32.

TEXT AMENDMENT 16018 – AMENDING TITLE 1 GENERAL PROVISIONS OF THE CITY OF LINCOLN DESIGN STANDARDS TO MODIFY THE PROCEDURES REGARDING WAIVERS; AMENDING TITLE 3 LINCOLN DESIGN STANDARDS BY AMENDING CHAPTER 3.75 NEIGHBORHOOD DESIGN STANDARDS, CHAPTER 3.76 LINCOLN DOWNTOWN DESIGN STANDARDS, AND CHAPTER 3.85 CAPITOL ENVIRONS DESIGN STANDARDS; BY ADDING A NEW CHAPTER 3.77 TO ADOPT SOUTH HAYMARKET DESIGN STANDARDS; AND REPEAL REFERENCED SECTIONS OF THE CITY OF LINCOLN DESIGN STANDARDS AS HITHERTO EXISTING. (RELATED ITEMS 17-15, 17R-26) - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-90248 WHEREAS, the City of Lincoln has previously adopted the City of Lincoln Design Standards consisting of four titles (Title 1. General Provisions, Title 2. Design Standards for Subdivision Regulations, Title 3. Design Standards for Zoning Regulations, and Title 4. Miscellaneous Design Standards) and Appendix A – Sight Distance which are maintained in pdf format on the Planning Departments website under Development Review; and

WHEREAS, the Planning Director has proposed to amend Title 1 by amending Section 2 of Chapter 1.00 Request for Waiver, Procedure to modify the procedures regarding approval of waivers to the Design Standards and appeals from such approval; and repealing Section 2 of Chapter 1.00 as hitherto existing; and

WHEREAS, the Planning Director has proposed to amend Title 3 by amending Section 5 of Chapter 3.75 Neighborhood Design Standards to provide that any request for deviation from the Neighborhood Design Standards may be approved by the Planning Director, Appeals Board, or City Council as provided in Chapter 1.00 of the City of Lincoln Design Standards; and repealing Section 5 of Chapter 3.75 as hitherto existing.

WHEREAS, the Planning Director has proposed to amend Title 3 Design Standards for Zoning Regulations by amending Section 1 of Chapter 3.76 Lincoln Downtown Design Standards to designate those areas in Lincoln-Downtown considered to be South Haymarket; by amending Section 2, Section 3, and Section 4 of Chapter 3.76 to make minor modifications; and by amending Section 5 of Chapter 3.76 to modify the procedure for approval of a waiver of the Lincoln Downtown Design Standards; and repealing Sections 1 through 5 of Chapter 3.76 as hitherto existing.

WHEREAS, the Planning Director has proposed to amend Title 3 of the City of Lincoln Design Standards to add a new Chapter 3.77 to adopt South Haymarket Design Standards.

WHEREAS, the Planning Director has proposed to amend Title 3 of the City of Lincoln Design Standards by amending Section 2 of Chapter 3.85 Capitol Environs Design Standards to identify the Malls around Capitol Square and to define the limits of Capitol Square, by amending Section 3 of Chapter 3.85 to clarify that the Commission's annual report is also sent to the Nebraska Capitol Commission, by amending Section 4 of Chapter 3.85 Capitol Environs Design Standards to revise and add design standards and guidelines for the Capitol Environs District including design standards for buildings and landscape on the Malls around Capitol Square.

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

1. That Section 2 of Chapter 1.00 Request for Waiver, Procedure be and the same is hereby amended as shown on Attachment "A" which is attached hereto and incorporated herein by this reference.
2. That Section 5 of Chapter 3.75 Neighborhood Design Standards be and the same is hereby amended as shown on Attachment "B" which is attached hereto and incorporated herein by this reference.
3. That Chapter 3.76 Lincoln Downtown Design Standards be and the same is hereby amended as shown on Attachment "C" which is attached hereto and incorporated herein by this reference.
4. That Title 3 of the City of Lincoln Design Standards be amended by adding a new Chapter 3.77 South Haymarket Design Standards as shown on Attachment "D" which is attached hereto and incorporated herein by this reference.
5. That Sections 2, 3, and 4 of Chapter 3.85 Capitol Environs Design Standards be amended as shown on Attachment "E" which is attached hereto and incorporated herein by this reference.
6. That Section 2 of Chapter 1.00, Section 5 of Chapter 3.75, Sections 1 through 5 of Chapter 3.76, and Sections 2, 3, and 4 of Chapter 3.85 of the City of Lincoln Design Standards are repealed as hitherto existing.

Introduced by Carl Eskridge

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

RESOLUTIONS - 1ST READING

REAPPOINTING ANDREW BUDELL TO THE BOARD OF ZONING APPEALS FOR A TERM EXPIRING FEBRUARY 1, 2022. *(CONSENT)*

APPROVING A CONTRACT BETWEEN THE CITY OF LINCOLN AND INSIGHT PUBLIC SECTOR, INC. FOR COMMERCIAL OFF THE SHELF (COTS) SOFTWARE VALUE ADDED RESELLER SERVICES, PURSUANT TO NASPO VALUEPOINT MASTER AGREEMENT ADSPO16-138244, STATE OF NEBRASKA CONTRACT NO. 14682 OC, FOR A TERM EFFECTIVE UPON THE CITY'S EXECUTION OF THIS CONTRACT THROUGH APRIL 7, 2018 IN THE AMOUNT OF \$125,000.00. *(CONSENT)*

APPROVING CONTRACTS AMONG THE CITY OF LINCOLN, LANCASTER COUNTY, LINCOLN-LANCASTER COUNTY PUBLIC BUILDING COMMISSION AND AMERICAN FENCE OF LINCOLN AND EMPIRE FENCE & NETTING FOR UNIT PRICE – FENCING SERVICES, PURSUANT TO BID NO. 16-280, EACH FOR A TWO YEAR TERM BEGINNING MARCH 1, 2017 THROUGH FEBRUARY 28, 2019 WITH THE OPTION TO RENEW FOR TWO ADDITIONAL TWO YEAR TERMS. *(CONSENT)*

APPROVING CONTRACTS BETWEEN THE CITY OF LINCOLN AND ABC ELECTRIC COMPANY, INC., CAPITOL CITY ELECTRIC, INC., COMMONWEALTH ELECTRIC COMPANY OF THE MIDWEST, WATTS ELECTRIC COMPANY, AND WCHE FOR UNIT PRICE – TRAFFIC SIGNALS, PURSUANT TO BID NO. 16-304, EACH FOR A TWO YEAR TERM BEGINNING MARCH 1, 2017 THROUGH FEBRUARY 28, 2019 WITH THE OPTION TO RENEW FOR TWO ADDITIONAL TWO YEAR TERMS. *(CONSENT)*

APPROVING CONTRACTS AMONG THE CITY OF LINCOLN, LANCASTER COUNTY, CITY OF LINCOLN-LANCASTER COUNTY PUBLIC BUILDING COMMISSION AND FLOORS, INC. AND MIDWEST FLOOR COVERING INC. FOR UNIT PRICE – CARPET, TILE AND EDGING INSTALLATION, PURSUANT TO BID NO. 16-288, EACH FOR A TWO YEAR TERM BEGINNING MARCH 1, 2017 THROUGH FEBRUARY 28, 2019 WITH THE OPTION TO RENEW FOR TWO ADDITIONAL TWO YEAR TERMS. *(CONSENT)*

APPROVING CONTRACTS AMONG THE CITY OF LINCOLN, LANCASTER COUNTY, CITY OF LINCOLN-LANCASTER COUNTY PUBLIC BUILDING COMMISSION AND THE OVERHEAD DOOR CO. OF LINCOLN, INC. AND PIONEER OVERHEAD DOOR, INC. FOR UNIT PRICE – OVERHEAD DOOR – REPAIR AND REPLACEMENT SERVICES, PURSUANT TO BID NO. 16-289, EACH FOR A TWO YEAR TERM BEGINNING MARCH 1, 2017 THROUGH FEBRUARY 28, 2019 WITH THE OPTION TO RENEW FOR TWO ADDITIONAL TWO YEAR TERMS. *(CONSENT)*

APPROVING CONTRACTS AMONG THE CITY OF LINCOLN, LANCASTER COUNTY, CITY OF LINCOLN-LANCASTER COUNTY PUBLIC BUILDING COMMISSION AND HUNT IRRIGATION, INC., JUDSON IRRIGATION, INC., AND LAMPLIGHTERS LIGHTING & IRRIGATION FOR UNIT PRICE – IRRIGATION MAINTENANCE AND REPAIR SERVICES, PURSUANT TO BID NO. 16-291, EACH FOR A TWO YEAR TERM BEGINNING MARCH 1, 2017 THROUGH FEBRUARY 28, 2019 WITH THE OPTION TO RENEW FOR TWO ADDITIONAL TWO YEAR TERMS. *(CONSENT)*

APPROVING CONTRACTS AMONG THE CITY OF LINCOLN, LANCASTER COUNTY, CITY OF LINCOLN-LANCASTER COUNTY PUBLIC BUILDING COMMISSION AND CAMPBELL'S NURSERIES & GARDEN CENTERS, MR. YARDS AND MORE LLC, AND NEBRASKA NURSERY AND COLOR GARDENS FOR UNIT PRICE – LANDSCAPE INSTALLATION AND MAINTENANCE SERVICES, PURSUANT TO BID NO. 16-290, EACH FOR A TWO YEAR TERM BEGINNING MARCH 1, 2017 THROUGH FEBRUARY 28, 2019 WITH THE OPTION TO RENEW FOR TWO ADDITIONAL TWO YEAR TERMS. *(CONSENT)*

APPROVING CONTRACTS BETWEEN THE CITY OF LINCOLN AND GENERAL EXCAVATING, JT&K SERVICES INC., K2 CONSTRUCTION, RAY LIPSEY INC, SELECT PLUMBING & UTILITY, T.J. OSBORN CONSTRUCTION INC., AND WALTON CONSTRUCTION CO, INC. FOR UNIT PRICE – EMERGENCY REPAIR AND UNDERGROUND UTILITY SERVICES, PURSUANT TO BID NO. 16-293, EACH FOR A TWO YEAR TERM BEGINNING MARCH 1, 2017 THROUGH FEBRUARY 28, 2019 WITH THE OPTION TO RENEW FOR TWO ADDITIONAL TWO YEAR TERMS. *(CONSENT)*

APPROVING CONTRACTS AMONG THE CITY OF LINCOLN, LANCASTER COUNTY, CITY OF LINCOLN-LANCASTER COUNTY PUBLIC BUILDING COMMISSION AND BRANDT EXCAVATING COMPANY, COMPLETE CONSTRUCTION SERVICES, GANA TRUCKING & EXCAVATING, H.R. BOOKSTROM CONSTRUCTION, INC, HIGH PLAINS ENTERPRISES INC, AND WALTON CONSTRUCTION CO, INC. FOR UNIT PRICE – EXCAVATING, GRADING AND DOZING SERVICES, PURSUANT TO BID NO. 16-292, EACH FOR A TWO YEAR TERM BEGINNING MARCH 1, 2017 THROUGH FEBRUARY 28, 2019 WITH THE OPTION TO RENEW FOR TWO ADDITIONAL TWO YEAR TERMS. *(CONSENT)*

APPROVING CONTRACTS AMONG THE CITY OF LINCOLN, LANCASTER COUNTY, CITY OF LINCOLN-LANCASTER COUNTY PUBLIC BUILDING COMMISSION AND ATHEY PAINTING INC., DICKEY - HINDS - MUIR INCORPORATED, SCHNEIDER CONSTRUCTION LLC, AND SMITH SERVICES FOR UNIT PRICE – PAINTING SERVICES, PURSUANT TO BID NO. 16-286, EACH FOR A TWO YEAR TERM BEGINNING MARCH 1, 2017 THROUGH FEBRUARY 28, 2019 WITH THE OPTION TO RENEW FOR TWO ADDITIONAL TWO YEAR TERMS. *(CONSENT)*

APPROVING CONTRACTS AMONG THE CITY OF LINCOLN, LANCASTER COUNTY, CITY OF LINCOLN-LANCASTER COUNTY PUBLIC BUILDING COMMISSION AND BRANDT EXCAVATING COMPANY, COMPLETE CONSTRUCTION SERVICES, GANA TRUCKING & EXCAVATING, HIGH PLAINS ENTERPRISES INC., MWE SERVICES, INC., NEW HORIZONS, LLC, AND VASA CONSTRUCTION FOR UNIT PRICE – DEMOLITION SERVICES, PURSUANT TO BID NO. 16-279, EACH FOR A TWO YEAR TERM BEGINNING MARCH 1, 2017 THROUGH FEBRUARY 28, 2019 WITH THE OPTION TO RENEW FOR TWO ADDITIONAL TWO YEAR TERMS. *(CONSENT)*

APPROVING CONTRACTS AMONG THE CITY OF LINCOLN, LANCASTER COUNTY, CITY OF LINCOLN-LANCASTER COUNTY PUBLIC BUILDING COMMISSION AND BOB AND DON'S PLUMBING, DWORAK PLUMBING, HAYES MECHANICAL, JOHN HENRY'S PLUMBING, HEATING AND AC, AND JT&K SERVICES INC. FOR UNIT PRICE – PLUMBING SERVICES, PURSUANT TO BID NO. 16-283, EACH FOR A TWO YEAR TERM BEGINNING MARCH 1, 2017 THROUGH FEBRUARY 28, 2019 WITH THE OPTION TO RENEW FOR TWO ADDITIONAL TWO YEAR TERMS. *(CONSENT)*

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APPROVING CONTRACTS AMONG THE CITY OF LINCOLN, LANCASTER COUNTY, CITY OF LINCOLN-LANCASTER COUNTY PUBLIC BUILDING COMMISSION AND CAPITOL CITY ELECTRIC INC., COMMONWEALTH ELECTRIC COMPANY OF THE MIDWEST, GREGG ELECTRIC COMPANY, HY-ELECTRIC, INC., PROGRESSIVE ELECTRIC, AND WILLMAR ELECTRIC SERVICE CORP. FOR UNIT PRICE – ELECTRICAL AND LARGE SCALE ELECTRICAL SERVICES, PURSUANT TO BID NO. 16-284, EACH FOR A TWO YEAR TERM BEGINNING MARCH 1, 2017 THROUGH FEBRUARY 28, 2019 WITH THE OPTION TO RENEW FOR TWO ADDITIONAL TWO YEAR TERMS. *(CONSENT)*

APPROVING CONTRACTS AMONG THE CITY OF LINCOLN, LANCASTER COUNTY, CITY OF LINCOLN-LANCASTER COUNTY PUBLIC BUILDING COMMISSION AND WSI SERVICES, HEARTLAND MOVING (LINCOLN RELOCATION), AND SELECT VAN & STORAGE - MAYFLOWER TRANSIT (SELECT VAN & STORAGE INC.) FOR UNIT PRICE – MOVING SERVICES, PURSUANT TO BID NO. 16-282, EACH FOR A TWO YEAR TERM BEGINNING MARCH 1, 2017 THROUGH FEBRUARY 28, 2019 WITH THE OPTION TO RENEW FOR TWO ADDITIONAL TWO YEAR TERMS. *(CONSENT)*

APPROVING CONTRACTS AMONG THE CITY OF LINCOLN, LANCASTER COUNTY, CITY OF LINCOLN-LANCASTER COUNTY PUBLIC BUILDING COMMISSION AND A-J ROOFING (RENT-A-ROOFER INC.), IRONHIDE CONSTRUCTION INC., MC ENTERPRISES, OVER THE TOP ROOFING & CONSTRUCTION, SPRAGUE ROOFING COMPANY, WEATHERCRAFT COMPANY OF LINCOLN, AND WHITE CASTLE ROOFING & GUTTERS (WHITE CASTLE ROOFING & CONTRACTING INC.) FOR UNIT PRICE – ROOFING SERVICES, PURSUANT TO BID NO. 16-294, EACH FOR A TWO YEAR TERM BEGINNING MARCH 1, 2017 THROUGH FEBRUARY 28, 2019 WITH THE OPTION TO RENEW FOR TWO ADDITIONAL TWO YEAR TERMS. *(CONSENT)*

APPROVING CONTRACTS AMONG THE CITY OF LINCOLN, LANCASTER COUNTY, CITY OF LINCOLN-LANCASTER COUNTY PUBLIC BUILDING COMMISSION AND BENES HEATING AND AIR CONDITIONING, INC., CAPITOL HEATING & AIR CONDITIONING, INC., CONTROL SERVICES INC., ENGINEERED CONTROLS INC., HAYES MECHANICAL, JOHNSON CONTROLS, INC., M C LARKINS HEATING/AIR CONDITIONING, MMC CONTRACTORS, AND SIEMENS INDUSTRY FOR UNIT PRICE – HVAC AND HVAC CONTROL SERVICES, PURSUANT TO BID NO. 16-281, EACH FOR A TWO YEAR TERM BEGINNING MARCH 1, 2017 THROUGH FEBRUARY 28, 2019 WITH THE OPTION TO RENEW FOR TWO ADDITIONAL TWO YEAR TERMS. *(CONSENT)*

APPROVING CONTRACTS AMONG THE CITY OF LINCOLN, LANCASTER COUNTY, CITY OF LINCOLN-LANCASTER COUNTY BUILDING COMMISSION AND CONCEPTS AV INTEGRATION, GOVDIRECT, INC./BIZCO, AND ELECTRONIC CONTRACTING COMPANY FOR UNIT PRICE – AUDIO-VISUAL REPAIRS AND REPLACEMENT SERVICES, PURSUANT TO BID NO. 16-287, EACH FOR A TWO YEAR TERM BEGINNING MARCH 1, 2017 THROUGH FEBRUARY 28, 2019 WITH THE OPTION TO RENEW FOR TWO ADDITIONAL TWO YEAR TERMS. *(CONSENT)*

APPROVING CONTRACTS AMONG THE CITY OF LINCOLN, LANCASTER COUNTY, CITY OF LINCOLN-LANCASTER COUNTY PUBLIC BUILDING COMMISSION AND A&J DONNER CONSTRUCTION INC., AYARS & AYARS, INC., BRAGER CONSTRUCTION INC., DICKEY - HINDS - MUIR INCORPORATED, EXCEL CONSTRUCTION, LLC, IRONHIDE CONSTRUCTION INC., KINGERY CONSTRUCTION CO., NGC GROUP INC., SMITH SERVICES, AND VASA CONSTRUCTION FOR UNIT PRICE – GENERAL CONSTRUCTION SERVICES, PURSUANT TO BID NO. 16-278, EACH FOR A TWO YEAR TERM BEGINNING MARCH 1, 2017 THROUGH FEBRUARY 28, 2019 WITH THE OPTION TO RENEW FOR TWO ADDITIONAL TWO YEAR TERMS. *(CONSENT)*

APPROVING CONTRACTS AMONG THE CITY OF LINCOLN, LANCASTER COUNTY, CITY OF LINCOLN-LANCASTER COUNTY PUBLIC BUILDING COMMISSION AND A&J DONNER CONSTRUCTION INC., AYARS & AYARS, INC., CATHER & SON'S CONSTRUCTION, INC., DICKEY - HINDS - MUIR INCORPORATED, K2 CONSTRUCTION, MTZ CONSTRUCTION LLC, PAVERS, INC., PRECISION CONCRETE CUTTING, R & C CONCRETE, SCHMIEDING CONCRETE, INC., SILVER RIDGE CONSTRUCTION, VASA CONSTRUCTION, AND WALTON CONSTRUCTION CO., INC. FOR UNIT PRICE – PAVING/CONCRETE SERVICES, PURSUANT TO BID NO. 16-285, EACH FOR A TWO YEAR TERM BEGINNING MARCH 1, 2017 THROUGH FEBRUARY 28, 2019 WITH THE OPTION TO RENEW FOR TWO ADDITIONAL TWO YEAR TERMS. *(CONSENT)*

APPROVING A CONSTRUCTION ENGINEERING SERVICES TASK ORDER AGREEMENT BETWEEN THE CITY OF LINCOLN AND OLSSON ASSOCIATES, INC. FOR THE SUPERIOR STREET, 27TH STREET TO CORNHUSKER HIGHWAY PAVEMENT REPAIR PROJECT. CITY PROJECT NO. 540031. STATE PROJECT NO. LCLC-5254(10), CN 13316. *(CONSENT)*

APPROVING A CONSTRUCTION ENGINEERING SERVICES TASK ORDER AGREEMENT BETWEEN THE CITY OF LINCOLN AND OLSSON ASSOCIATES, INC. FOR THE 27TH STREET, HOLDREGE STREET TO FLETCHER AVENUE PAVEMENT REPAIR PROJECT. CITY PROJECT NO. 540040. STATE PROJECT NO. LCLC-5231(16), CN 13317. (*CONSENT*)

ORDINANCES - 1ST READING & RELATED RESOLUTIONS (AS REQUIRED)

AMENDING CHAPTER 24.42 OF THE LINCOLN MUNICIPAL CODE RELATING TO REGULATION OF PROPERTY TRANSFERS WITH ON-SITE SYSTEMS BY AMENDING SECTION 24.42.070 TO REMOVE REVIEW FEE PROVISIONS AND REPEALING SECTION 24.42.070 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Jane Raybould, amending Chapter 24.42 of the Lincoln Municipal Code relating to Regulation of Property Transfers With On-site Wastewater Treatment Systems by amending Section 24.42.070 to amend provisions related to when the review fee is to be collected, the first time.

AMENDING CHAPTER 8.20 OF THE LINCOLN MUNICIPAL CODE RELATING TO LINCOLN FOOD CODE BY AMENDING SECTION 8.20.050 TO ADOPT THE STATE FOOD CODE AND REPEALING SECTION 8.20.050 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Jane Raybould, amending Chapter 8.20 of the Lincoln Municipal Code relating to Lincoln Food Code by amending Section 8.20.050 to adopt the most recently adopted State Food Code, the first time.

ANNEXATION 16009 – AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 30.33 ACRES OF PROPERTY GENERALLY LOCATED AT NORTH 70TH STREET AND ARBOR ROAD. (RELATED ITEMS: 17-24, 17-25, 17R-62) - CLERK read an ordinance, introduced by Jane Raybould, 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 first time.

CHANGE OF ZONE 16031 – APPLICATION OF DWAIN SCOTT ROGGE, HANOVER II, LLC, HANOVER III, LLC, AND RF PROPERTIES, INC. FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO I-2 INDUSTRIAL PARK DISTRICT ON PROPERTY GENERALLY LOCATED AT NORTH 70TH STREET AND ARBOR ROAD. (RELATED ITEMS: 17-24, 17-25, 17R-62)- CLERK read an ordinance, introduced by Jane Raybould, 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 first time.

APPROVING A CONDITIONAL ANNEXATION AND ZONING AGREEMENT BETWEEN THE CITY OF LINCOLN, NEBRASKA, DWAIN SCOTT ROGGE, HANOVER II, LLC, HANOVER III, LLC, AND RF PROPERTIES, INC. FOR THE DEVELOPMENT AND ANNEXATION OF PROPERTY GENERALLY LOCATED AT NORTH 70TH STREET AND ARBOR ROAD. (RELATED ITEMS: 17-24, 17-25, 17R-62) (ACTION DATE: 3/6/17)

ANNEXATION 16008 – AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 5.12 ACRES OF PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF VAN DORN STREET, WEST OF SOUTH 91ST STREET. (RELATED ITEMS: 17-26, 17R-63, 17R-61)- CLERK read an ordinance, introduced by Jane Raybould, 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 first time.

APPROVING THE ANNEXATION AGREEMENT FOR VAN DORN STREET COALITION BETWEEN JLW LP, CLAIR W. COOLEY AND LINDA COOLEY, ROGER H. GRAFF, MATODOL, LLC, DARYL LEE BOHAC AND KRISTIE A. BOHAC, CHRISTOPHER A. KIDWELL, AND THE CITY OF LINCOLN, NEBRASKA FOR THE PHASED DEVELOPMENT AND ANNEXATION OF PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF VAN DORN STREET, WEST OF SOUTH 91ST STREET. (RELATED ITEMS: 17-26, 17R-63, 17R-61) (ACTION DATE: 3/6/17)

AMENDING THE FY 2016/2017 – 2017/2018 BIENNIAL BUDGET FOR BOTH FY 2016/2017 AND 2017/2018 TO INCREASE THE TOTAL APPROPRIATIONS BY \$4,200,000 FOR STEVENS CREEK SANITARY TRUNK SEWER CIP PROJECT #0827 TO ACCOMMODATE ADDITIONAL DEVELOPMENT. (RELATED ITEMS: 17-26, 17R-63, 17R-61) (ACTION DATE: 3/6/17)

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CHANGE OF ZONE 17001 – APPLICATION OF INGRID BANGERS AND MCDONALDS CORPORATION STATE SITE #260027 FOR A CHANGE OF ZONE FROM H-1 INTERSTATE COMMERCIAL DISTRICT TO H-3 HIGHWAY COMMERCIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT 3100 NORTHWEST 12TH STREET - CLERK read an ordinance, introduced by Jane Raybould, 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 first time.

ADJOURNMENT

6:20 P.M.

CAMP Moved to adjourn the City Council Meeting of February 13, 2017.
Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

Teresa J. Meier, City Clerk

Monet J. McCullen, Office Specialist