

**THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, MARCH 6, 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, Lamm; City Clerk: Teresa Meier; Absent: Raybould.

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

ESKRIDGE Having been appointed to read the minutes of the City Council Proceedings of February 27, 2017, reported having done so, found same correct.

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

PUBLIC HEARING

APPLICATION OF BOILER BREWING COMPANY, LLC DBA BOILER BREWING COMPANY FOR A CLASS C LIQUOR LICENSE AT 129 NORTH 10TH STREET, SUITE 313;
MANAGER APPLICATION OF THAD M. AERTS FOR BOILER BREWING COMPANY, LLC DBA BOILER BREWING COMPANY AT 129 NORTH 10TH STREET, SUITE 313 - Thad M. Aerts, 4611 Eagle Ridge Road, applicant, came forward to take the oath and requested approval. Discussion followed.

This matter was taken under advisement.

APPLICATION OF STEELSON, LLC DBA LA PAZ MEXICAN RESTAURANT FOR A CLASS I LIQUOR LICENSE AT 321 NORTH COTNER BOULEVARD;
MANAGER APPLICATION OF ANDREW L. WILSON FOR STEELSON, LLC DBA LA PAZ MEXICAN RESTAURANT AT 321 NORTH COTNER BOULEVARD - Andrew Wilson, 511 S. 186th Street, Elkhorn, applicant, came forward to take the oath and requested approval.

Jonas Steele, 4712 Woodham Drive, came forward to take the oath and requested approval.

This matter was taken under advisement.

MANAGER APPLICATION OF MICHAEL B. BARTON FOR BW&R CANOPY, LLC DBA BUFFALO WINGS & RINGS AT 350 CANOPY STREET, SUITE 200 - Michael B. Barton, 6425 Francis Street, applicant, came forward to take the oath and requested approval.

This matter was taken under advisement.

MANAGER APPLICATION OF ANGELIQUE J. CHAPMAN FOR QDOBA RESTAURANT CORPORATION DBA QDOBA MEXICAN GRILL #2647 AT 211 NORTH 12TH STREET - Angelique J. Chapman, 1830 Knox Street, applicant, came forward to take the oath and requested approval.

Mitchell Martin, 1655 Culbera Street, came forward to take the oath and requested approval.

This matter was taken under advisement.

MANAGER APPLICATION OF MARK E. FORD FOR COTTONWOOD CAFÉ, LLC DBA COTTONWOOD CAFÉ AT 440 SOUTH 11TH STREET - Mark E. Ford, 3342 Vine Street, applicant, came forward to take the oath and requested approval.

This matter was taken under advisement.

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF FEBRUARY 1-15, 2017 - Minhson Pham, 165 F Street, # 6, came forward and explained on September 23, 2016, he was stopped by an LPD Officer, who he says slammed his clipboard on his vehicle and damaged the hood of the vehicle.

Jeff Kirkpatrick, City Attorney, came forward and shared he was able to listen to audio footage of the traffic stop. They were able to hear the clipboard being placed on the car, but did not feel the clipboard hit the car hard enough to dent the car. There was a trial and Mr. Pham was found guilty, after he was found guilty he then filed his claim. Discussion followed.

This matter was taken under advisement.

SPECIAL PERMIT 872I – APPLICATION OF 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 SIGNS WITHIN THE FRONT YARD, ON PROPERTY GENERALLY LOCATED SOUTHEAST OF SOUTH 84TH STREET AND VAN DORN STREET - Danay Kalkowki, Seacrest & Kalkowksi Law Firm, 111 Lincoln Mall, Suite 350, appeared on behalf of Firethorn Golf Company, and explained at the golf course there are a couple of signs that would require the special permit. One sign would be for the clubhouse facility. The road slopes down before you see the clubhouse and it would be more effective if the signs were closer to the street. The sign

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will still meet the size requirements and will be shorter than what is permitted. The second sign would be along Van Dorn Street and this one is being asked that the sign be increased from 20 square feet to 32 square feet. It will only be 6 feet high, so that will remain within the height limit. The main purpose of this is just the visibility from an arterial street. Discussion followed.

This matter was taken under advisement.

AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE STATE OF NEBRASKA DEPARTMENT OF ROADS (NDOR) SO THAT FEDERAL FUNDS MAY BE USED FOR CONSTRUCTION AND CONSTRUCTION ENGINEERING OF THE OLD CHENEY ROAD, 40TH STREET TO HIGHWAY 2 PAVEMENT REPAIR PROJECT - Randy Hoskins, Public Works, came forward and stated Old Cheney Road will be getting resurfaced between 40th and Highway 2. This will fix the subgrade of the road, repair concrete and there will be overlay on top of that. There will be a short closure scheduled for 2 weeks at the intersection at 56th Street and Old Cheney. There has been an incentive and disincentive clause to encourage the contractor to finish the project quicker than scheduled. The tentative start date is May 1, 2017, with substantial completion by mid September and final completion done in November, 2017.

Jon Camp, Council Member, inquired about how the business owners would be dealt with because there was prior work in that area and a number of the business owners were not happy with the closures.

Mr. Hoskins stated there will be another public information meeting held to be able so people another chance to provide their input. They will be creating another median opening on the north side of the intersection which will allow access on the northeast corner of 56th Street. The other quadrants of the intersection will have their normal access points. Discussion followed.

This matter was taken under advisement.

APPROVING A CONSTRUCTION ENGINEERING SERVICES TASK ORDER AGREEMENT BETWEEN THE CITY OF LINCOLN AND ALFRED BENESCH AND COMPANY FOR THE OLD CHENEY ROAD, 40TH STREET TO HIGHWAY 2 PAVEMENT REPAIR PROJECT. CITY PROJECT NO. 540041. STATE PROJECT NO. LCLC-5202(9), CN 13315 - Randy Hoskins, Public Works, came forward and shared this is the same project as the previous item for the construction and engineering testing.

Jon Camp, Council Member, asked how much the City's financial portion would be.

Mr. Hoskins confirmed the City will pay 20% of \$289,000 which is about \$52,500.00.

This matter was taken under advisement.

MISCELLANEOUS 16006 – DECLARING THE “NORTH COTNER BOULEVARD AND P STREET REDEVELOPMENT AREA” WHICH CONSISTS OF APPROXIMATELY 11.6 ACRES OF LAND, GENERALLY BOUNDED BY P STREET, COTNER BOULEVARD, NORTH 56TH STREET, AND R STREET, ALONG WITH ADJACENT STREET RIGHTS-OF-WAY IN SOUTH 56TH STREET, P AND R STREETS, AND NORTH COTNER BOULEVARD, AS BLIGHTED AND SUBSTANDARD - David Landis, Urban Development Director, came forward and shared a developer decided to do a project on North Cotner until they discovered infirmity in the soil that would not permit them to move forward with the project. This project was intended to be done without any financial help from the City. This process has to start with declaring an area blighted and substandard and getting a study that reports that. The study says that of the 4 substandard conditions that are required by State Law, 1 is highly present and 3 are reasonably present. Of the 12 blighted conditions, 6 are strongly present and 4 are reasonably present. Discussion followed.

Mike Eckert, Civil Design Group, 8535 Executive Woods Drive, representing Austin Realty Investment, came forward and shared after going through a change of zone for this project, a geotechnical study was performed and found the soil under the existing slab were not great and this would require a substantial amount of extra geopier work and footings. During this process, they looked into the option of using TIF funds. After the geopier work they would like to incorporate facade enhancements and some landscaping. Discussion followed.

Kent Seacrest, Seacrest & Kalkowski Law Firm, 111 Lincoln Mall, Suite 350, representing Austin Realty Investment, stated the surrounding neighbors seem to have no opposition towards the project. Discussion followed.

This matter was taken under advisement.

APPROVING AN AMENDMENT TO THE 18TH AND P REDEVELOPMENT PROJECT IN THE ANTELOPE VALLEY REDEVELOPMENT PLAN TO AMEND THE PROJECT AREA BY REMOVING THE SOUTH HALF OF THE BLOCK AND VACATED EAST-WEST ALLEY ON THE BLOCK GENERALLY BOUNDED BY O STREET, P STREET, 18TH STREET, AND ANTELOPE VALLEY PARKWAY;

APPROVING AN AMENDMENT TO THE ASPEN HEIGHTS REDEVELOPMENT PROJECT REDEVELOPMENT AGREEMENT BETWEEN BRECKENRIDGE GROUP LINCOLN, LLC AND THE CITY OF LINCOLN TO AMEND THE REDEVELOPMENT AREA BY REMOVING THE SOUTH HALF OF THE BLOCK AND VACATED EAST-WEST ALLEY ON THE BLOCK GENERALLY BOUNDED BY O STREET, P STREET, 18TH STREET, AND ANTELOPE VALLEY PARKWAY - David Landis, Urban Development Director, came forward and stated when the Aspen project started the developers included the full area they thought they would be involved with. In the

Redevelopment Plan and Redevelopment Agreement, the Duteau Building was included. That building was not part of the plan and was overlooked when excluding certain commercial areas as part of the provision. The amendment will remove the Duteau Building from the project area. Throughout this project, they have not relied on any contributions from this building to make the project work and it has no effect financially on the viability of the project. Should the Duteau Building wish to do a redevelopment at a later date, they need to be excluded from this project to be able to do so. Discussion followed.

Tom Huston, Cline Williams Wright Johnson & Oldfather, 233 S. 13th Street, Suite 1900, appeared on behalf of Aspen Heights, and stated the developer is in support with removing the Duteau Building.

Mike Moroson, 1500 N. 15th Street, came forward in support.

This matter was taken under advisement.

ANNEXATION 17001 – AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 2.07 ACRES OF PROPERTY GENERALLY LOCATED SOUTHWEST OF SOUTH CODDINGTON AVENUE AND WEST VAN DORN STREET - David Cary, Planning Department Director, came forward and shared the annexation is mainly because of the public project to put a roundabout at the intersection of W. Van Dorn and S. Coddington Avenue. The laterals of the septic system at the southwest location is impacted. The proposal is to give this City sewer service because it is adjacent to City limits and because there is a public project impacting the ability for sewer service to work. This was unanimously approved by the Planning Commission on their Consent Agenda. Discussion followed.

Jon Camp, Council Member, asked if the implementation of the roundabout is what is affecting the septic system.

Mr. Cary stated there has to be some right-of-way for the improvement to fit and the laterals for the septic system are at that location. Discussion followed.

Roy Christensen, Council Member, stated a year ago, he met with business owners that this would affect and who were opposed and asked if they are still opposed.

Mr. Cary stated to his knowledge the business owners know about the annexation and the City will do what they can to allow for ongoing access to their business during construction. Discussion followed.

Mr. Christensen stated on the southeast corner there is a drop-off several feet off the roadway and how will that work.

Randy Hoskins, Public Works, came forward and explained there will be some fill and they will push the roundabout to the south and west a little to make it fit better. Discussion followed.

This matter was taken under advisement.

AMENDING CHAPTER 10.06 OF THE LINCOLN MUNICIPAL CODE RELATING TO ADMINISTRATION AND ENFORCEMENT BY AMENDING SECTION 10.06.070 TO ALLOW VOLUNTEER CROSSING GUARDS TO ASSIST CHILDREN IN CROSSING STREETS BY ADDING CLARIFYING LANGUAGE AND REPEALING SECTION 10.06.070 OF THE LINCOLN MUNICIPAL CODE AS HITHERTO EXISTING - Jeff Kirkpatrick, City Attorney, came forward and stated this request came from Council Member Cyndi Lamm and is an initial step in addressing school children crossing at a busy intersection. The goal is to have something in place by August, 2018.

Cyndi Lamm, Council Member, explained this is in regards to the intersection on 84th and Leighton. There are about 20% of students that live east of 84th Street who have to cross 84th to get to school. The roadways are becoming more complex and busy and there are less crossing guards that are seen over time. From a logistical and liability standpoint, LPS cannot put a staff crossing guard at an intersection that is 7 blocks away from the school. There is work being done with Volunteer Link to attempt to find crossing guards that will help cross the kids on busy intersections. Public Works has provided vests that can be used and there are other components that are currently being worked on.

This matter was taken under advisement.

APPROVING THE TRANSFER OF CASH AND APPROPRIATIONS FOR WILLARD COMMUNITY CENTER CAPITAL CAMPAIGN FOR RENOVATIONS. (RELATED ITEMS: 17-28, 17R-65);

APPROVING THE CONTRACT FOR SERVICES BETWEEN WILLARD COMMUNITY CENTER AND THE CITY OF LINCOLN, NEBRASKA TO PROVIDE \$100,000 TO THE WILLARD COMMUNITY CENTER BY APRIL 15, 2017 TO SUPPORT THE CENTER'S RENOVATION PROJECT OF ITS FACILITY LOCATED AT 1245 FOLSOM STREET. (RELATED ITEMS: 17-28, 17R-65) (ACTION DATE: 3/13/17) - Janelle Soderling, Executive Director of Willard Community Center, 1310 Sycamore Drive, came forward and stated this renovation will impact the clients they currently have and the neighborhood. They currently have a number of programs for young and older kids. All together there are 541 total kids enrolled. The location is used for a number of other things and they currently have around 1000 people who use the building every month. The renovation will allow for an additional 2,220 square feet to be added to the building and will allow a childhood license of 150 kids. This will also help with the security and safety of everyone who uses the building. Energy efficiency will be upgraded with better energy and lighting, new windows, a new roof, and an upgrade on technology.

Kathy LeBaron, 6130 The Knolls, Chair of the Willard Center Capital Campaign, came forward and shared this is the sole human service agency and is located in one of Lincoln's more economically challenged areas. They service a diverse population, people from preschool to senior citizens. The City owned the building until 2013 and a lot of maintenance items were deferred due to budget restrictions. The

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Willard Board purchased the building in 2013 to be able to embark on a capital campaign to renovate and improve the building. Willard Capital Campaign has been raising money for over two years toward a goal of \$1,800,000. To date they have raised \$1,665,000 which include challenge grants from two separate Omaha Foundations. If the City Council approves \$100,000 towards the capital campaign, this will leave \$35,000 outstanding to raise by March 31, 2017. This would fulfill both of the challenge grants and they would have met the goal.

Roy Christensen, Council Member, asked about the two grants.

Ms. LeBaron confirmed that one grant is specific to the City of Lincoln for \$100,000 then they would come forward with the other \$100,000. With both grants that will still leave a remaining \$35,000 that will have to be raised privately or by other foundations. This all has to be fulfilled by March 31 to fulfill another grant of \$150,000. Discussion followed.

This matter was taken under advisement.

COMP. PLAN AMENDMENT 16006 – AMENDING THE 2040 LINCOLN-LANCASTER COUNTY COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE PLAN, TO MODIFY GROWTH TIERS AND FUTURE LAND USE, ON PROPERTY GENERALLY LOCATED AT NORTH 7TH STREET AND ALVO ROAD. (RELATED ITEMS: 17R-70, 17-31, 17R-66, 17-32) (ACTION DATE: 3/13/17);

ANNEXATION 16015 – AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 35.55 ACRES OF PROPERTY GENERALLY LOCATED AT NORTH 7TH STREET AND ALVO ROAD. (RELATED ITEMS: 17R-70, 17-31, 17R-66, 17-32) ;

APPROVING A CONDITIONAL ANNEXATION AND ZONING AGREEMENT BETWEEN THE CITY OF LINCOLN, NEBRASKA AND LONE TREE HOLDINGS, LLC FOR THE DEVELOPMENT AND ANNEXATION OF PROPERTY GENERALLY LOCATED AT NORTH 7TH STREET AND ALVO ROAD. (RELATED ITEMS: 17R-70, 17-31, 17R-66, 17-32) (ACTION DATE: 3/13/17);

CHANGE OF ZONE 16041 – APPLICATION OF LEGACY HOMES, LLC FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT NORTH 7TH STREET AND ALVO ROAD (RELATED ITEMS: 17R-70, 17-31, 17R-66, 17-32) - Mark Hunzeker, Baylor Evnan, 1248 O Street, Suite 600, appeared on behalf of Lone Tree Holdings, and shared this is a straight forward single family development on land that is about 40 acres with approximately 135 lots. The preliminary plat was unanimously approved by the Planning Commission on February 15, 2017. There is a small glitch in the annexation agreement with the design of the roundabout that the City would like built at 7th and Alvo Road. The original agreement stated the City would commence the design once they applied for the final plan, which they felt was too late and could cost a significant delay. The other issues have to do with the acquisition of the right-of-way for the roundabout. The City would like them to grade a two lane roundabout and to construct a single lane roundabout. Their understanding was that they would be reimbursed from impact fees because Alvo is an arterial street. The right-of-way was not computed into the costs of arterial street improvements at the time the impact fee study was performed. They are now being told they cannot be reimbursed from impact fees. The developer is willing to acquire their right-of-way, but does not feel they need to be the ones to go out and negotiate with other property owners to acquire additional right-of-ways on the other three corners. Discussion followed.

Roy Christensen, Council Member, asked if there were no roundabout what impact would that have.

Mr. Hunzeker stated they would prefer to have turn lanes that would go in both directions and have some modification to Alvo Road. There is no agreement yet, but they hope to reach one by next week.

****Council Member Fellers left Council Chambers at 4:37 p.m.****

Leirion Gaylor Baird, Council Chair, asked for additional information on the City's request on Alvo Road.

David Cary, Planning Department Director, came forward and explained they have some outstanding questions on road improvements as far as what would be included and who would pay for the improvements.

****Council Member Fellers returned to Council Chambers at 4:39 p.m.****

Randy Hoskins, Public Works, came forward and shared that when a developer comes in and an improvement is requested of them and there is not sufficient right-of-way it is then asked that the developer acquire the right-of-way themselves. The right-of-way was not included in the impact fees because typically the right-of-way would be dedicated by the developers. If they are unsuccessful with acquiring the right-of-way, the City would then help.

Cyndi Lamm, Council Member, asked if they were not grading for a two lane, would there be sufficient right-of-way.

Mr. Hoskins stated there are some significant drop-offs on the north side of the road and he is not sure that there would be enough right-of-way in the event they plan to keep Alvo Road as a single lane. If they just did standard turn lanes then there could be sufficient right-of-ways for that. Discussion followed.

This matter was taken under advisement.

CHANGE OF ZONE 08010A – APPLICATION OF JLI WEST, INC. TO AMEND THE WOODSIDE VILLAGE PLANNED UNIT DEVELOPMENT, FORMERLY KNOWN AS HUB HALL HEIGHTS COMMERCIAL CENTER, 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 NORTHWEST 48TH STREET AND WEST HOLDREGE STREET (RELATED ITEMS: 17-33, 17R-67);

APPROVING AMENDMENT NO. 1 TO THE HUB HALL HEIGHTS CONDITIONAL ANNEXATION AND ZONING AGREEMENT BETWEEN JLI WEST, INC. AND THE CITY OF LINCOLN, NEBRASKA TO DEVELOP THE PROPERTY WITHIN THE HUB HALL HEIGHTS COMMUNITY PLAN AND HUB HALL HEIGHTS COMMERCIAL CENTER PLANNED UNIT DEVELOPMENT WITH BUILDABLE LOTS ADJACENT TO WEST HOLDREGE STREET ON PROPERTY GENERALLY LOCATED NORTHEAST OF NORTHWEST 48TH STREET AND NORTH OF HOLDREGE STREET. (RELATED ITEMS: 17-33, 17R-67) (ACTION DATE: 3/13/17) - Tim Gergen, Clark Enersen Partners, 1010 Lincoln Mall, Suite 200, appeared on behalf of the owner and developer and shared this is for a down zoning. One corner of the property was for commercial use and the other corner was intended for apartments. Given the overflux of commercial property in the surrounding area and the business area, it has been a hard time trying to get commercial development to engage in the lot in question. They are planning to change that corner into an apartment development and convert the other corner for town homes. There have been letters sent out to neighbors and the Planning Commission voted unanimously for approval.

This matter was taken under advisement.

COUNCIL ACTION

REPORTS OF CITY OFFICERS

APPROVING A SERVICE MAINTENANCE AGREEMENT BETWEEN THE CITY OF LINCOLN AND ACCELERATED TECHNOLOGY LABORATORIES, INC. FOR THE LABORATORY INFORMATION MANAGEMENT SYSTEM TO BE USED BY THE LINCOLN WASTEWATER SANITARY ENGINEERING ANALYTICAL LABORATORY - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-90280

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

That the Service Maintenance Agreement between the City of Lincoln and Accelerated Technology Laboratories, Inc. for the Laboratory Information Management System to be used by the Lincoln Wastewater Sanitary Engineering Analytical Laboratory for management of all analytical data for process control and compliance with National Pollutant Discharge Elimination permits for a three year term, in accordance with the terms and conditions contained in said Agreement, is hereby approved and the Mayor is authorized to execute the same and any associated amendments or renewals on behalf of the City of Lincoln.

The City Clerk is directed to send one fully executed Service Maintenance Agreement to Steve Crisler, Public Works and Utilities, Wastewater Division, for transmittal to Accelerated Technology Laboratories, Inc.

Introduced by Roy Christensen

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

REPORT OF LINCOLN WATER & WASTEWATER SYSTEMS FISCAL YEAR 2015-2016 AUDITS 2016 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(8-71A)**

PETITIONS & COMMUNICATIONS

SETTING THE HEARING DATE OF MONDAY, MARCH 20, 2017 AT 3:00 P.M. ON THE APPLICATION OF JINGHPAW LLC DBA YAMI KOREAN CUISINE FOR A CLASS C LIQUOR LICENSE AT 2840 S. 70TH STREET, SUITE 145 - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-90281

BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, March 20, 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 Jinghpaw LLC dba Yami Korean Cuisine for a Class C Liquor License at 2840 S. 70th Street, Suite 145.

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

Introduced by Carl Eskridge

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

SETTING THE HEARING DATE OF MONDAY, MARCH 20, 2017 AT 3:00 P.M. ON THE MANAGER APPLICATION OF GARRETT D. LOMELI FOR SWIG LLC DBA 9 SOUTH CHARGRILL AT 844 SOUTH STREET - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-90282

BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, March 20, 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 Garrett D. Lomeli for Swig LLC dba 9 South Chargrill at 844 South Street.

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

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Introduced by Carl Eskridge

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

SETTING THE HEARING DATE OF MONDAY, MARCH 20, 2017 AT 3:00 P.M. ON THE MANAGER APPLICATION OF JAIME A. ESQUIVEL FOR LINCOLN BLUE SUSHI, LLC DBA BLUE SUSHI SAKE GRILL AT 808 R STREET, SUITE 200 - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-90283 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, March 20, 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 Jaime A. Esquivel for Lincoln Blue Sushi, LLC dba Blue Sushi Sake Grill at 808 R 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 Carl Eskridge

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

PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:

Administrative Amendment No. 17002, to Combined Use/Special Permit #20, Taylor Meadows Office Park, approved by the Planning Director on February 16, 2017, to increase the allowed floor area of Lot 1 by 6,800 square feet for a total of 61,800 square feet and to add 8 parking stalls on Lot 1, generally located at Teton Drive and S. 70th Street.

LIQUOR RESOLUTIONS

APPLICATION OF BOILER BREWING COMPANY, LLC DBA BOILER BREWING COMPANY FOR A CLASS C LIQUOR LICENSE AT 129 NORTH 10TH STREET, SUITE 313 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-90284 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 Boiler Brewing Company, LLC dba Boiler Brewing Company for a Class "C" liquor license at 129 North 10th Street, Suite 313, 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 Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm; NAYS: None; ABSENT: Raybould.

MANAGER APPLICATION OF THAD M. AERTS FOR BOILER BREWING COMPANY, LLC DBA BOILER BREWING COMPANY AT 129 NORTH 10TH STREET, SUITE 313 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-90285 WHEREAS, Boiler Brewing Company, LLC dba Boiler Brewing Company located at 129 North 10th Street, Suite 313, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that Thad M. Aerts be named manager;

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

APPLICATION OF LNK2 LODGING, LLC DBA FAIRFIELD INN & SUITES FOR A CLASS C LIQUOR LICENSE AT 1000 WEST BOND STREET;

MANAGER APPLICATION OF KIRTI K. TRIVEDI FOR LNK2 LODGING, LLC DBA FAIRFIELD INN & SUITES AT 1000 WEST BOND STREET - PRIOR to reading:

CAMP Moved to continue Public Hearing and Action 1 week to 03/13/17.

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

APPLICATION OF STEELSON, LLC DBA LA PAZ MEXICAN RESTAURANT FOR A CLASS I LIQUOR LICENSE AT 321 NORTH COTNER BOULEVARD - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-90286

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 Steelson, LLC dba La Paz Mexican Restaurant for a Class "I" liquor license at 321 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 Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm; NAYS: None; ABSENT: Raybould.

MANAGER APPLICATION OF ANDREW L. WILSON FOR STEELSON, LLC DBA LA PAZ MEXICAN RESTAURANT AT 321 NORTH COTNER BOULEVARD - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-90287

WHEREAS, Steelson, LLC dba La Paz Mexican Restaurant located at 321 N Cotner Boulevard, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Andrew L. Wilson be named manager;

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

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 Jon Camp, who moved its adoption for approval:

A-90288

WHEREAS, BW&R Canopy, LLC dba Buffalo Wings & Rings located at 350 Canopy Street, Suite 200, Lincoln, Nebraska has been approved for a Retail Class "IK" and Class "E" liquor licenses, and now requests that Michael B. Barton be named manager;

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

MANAGER APPLICATION OF ANGELIQUE J. CHAPMAN FOR QDOBA RESTAURANT CORPORATION DBA QDOBA MEXICAN GRILL #2647 AT 211 NORTH 12TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-90289

WHEREAS, Qdoba Restaurant Corporation dba Qdoba Mexican Grill #2647 located at 211 North 12th Street, Lincoln, Nebraska has been approved for a Retail Class "A" liquor license, and now requests that Angelique J. Chapman be named manager;

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

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MANAGER APPLICATION OF MARK E. FORD FOR COTTONWOOD CAFÉ, LLC DBA COTTONWOOD CAFÉ AT 440 SOUTH 11TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-90290 WHEREAS, Cottonwood Café, LLC dba Cottonwood Café located at 440 South 11th Street, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Mark E. Ford be named manager;
WHEREAS, Mark E. Ford 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 Mark E. Ford 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 Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm; NAYS: None; ABSENT: Raybould.

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 FEBRUARY 1-15, 2017 - PRIOR to reading:

CAMP Moved to amend Bill 17R-75 by allowing \$37.50 to be paid by the City.
Seconded by Lamm & LOST by the following vote: AYES: Camp; NAYS: Christensen, Eskridge, Fellers, Gaylor Baird, Lamm. ABSENT: Raybould.

CLERK Read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-90291 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 February 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:

DENIED CLAIMS

Minhson Pham	\$ 75.00
Kristina Radicia	582.95
Kristin Siess	1,165.73
Maurice Moore	68,000.00
Maurice Moore	100,000.00
Maurice Moore	100,000.00

ALLOWED/SETTLED CLAIMS

Luke Bell	\$1,697.54
Cody Thomas	2,178.34
Jason Mielak	429.85

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 Roy Christensen

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

SPECIAL PERMIT 872I – APPLICATION OF 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 SIGNS WITHIN THE FRONT YARD, ON PROPERTY GENERALLY LOCATED SOUTHEAST OF SOUTH 84TH STREET AND VAN DORN STREET - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-90292 WHEREAS, Firethorn Golf Company has submitted an application designated as Special Permit No. 872i 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 property generally located southeast of South 84th Street and Van Dorn Street, and legally described as:

Lots 1 and 2, Firethorn 41st Addition and Clubhouse Area, Firethorn 2nd Addition, Lincoln, Lancaster County, Nebraska;

WHEREAS, the real property adjacent to the area included within the site plan will not be adversely affected; and

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

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

That the application of Firethorn Golf Company, hereinafter collectively referred to as "Permittee", -> 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 the property legally described above, be and the same is hereby granted upon condition that construction be in substantial compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves two freestanding signs associated with the outdoor recreation facilities to be located in the front yard, and approves an increase in the maximum allowed sign area for one sign from 20 to 32 square feet in area.
2. Before receiving building permits:
 - a. The Permittee shall cause to be prepared and submitted to the Planning Department a revised site plan including 3 copies with all required revisions as listed below:
 - i. Designate building envelopes for both signs so the specific locations of each are shown.
 - ii. Revise Note #11 to state: "SIGNS NEED NOT BE SHOWN ON THE SITE PLAN AND THE LOCATION AND SIZE WILL BE APPROVED AT THE TIME OF SIGN PERMITS IN COMPLIANCE WITH THE ZONING ORDINANCE, EXCEPT FOR THE SIGNS ASSOCIATED WITH THE OUTDOOR RECREATION FACILITIES AND AS MODIFIED IN THE WAIVER TABLE. THE PLANNING DIRECTOR CAN APPROVE MINOR MODIFICATIONS TO THE LOCATION OF THE SIGN ENVELOPES FOR THE OUTDOOR RECREATION FACILITIES AT THE TIME OF SIGN PERMIT, NO AMENDMENT TO THE SPECIAL PERMIT IS REQUIRED."
 - iii. Modify the last note in the Waiver Table to state: "TO ALLOW TWO ADDITIONAL SIGNS IN THE FRONT YARD SETBACK AS SHOWN FOR THE RESORT AND THE CLUBHOUSE, AND TO ALLOW THE SIGN FOR THE RESORT TO HAVE THE MAXIMUM ALLOWED SIGN AREA INCREASED FROM 20 TO 32 SQUARE FEET IN AREA."
 - b. Provide verification from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.
3. All development and construction must substantially comply with the approved plans.
4. All privately-owned improvements are to be maintained by the owner or an appropriately established owners association approved by the City.
5. The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters must be in substantial compliance with the location of said items as shown on the approved site plan.
6. The terms, conditions, and requirements of this resolution shall run with the land and be binding on the Permittee, its successors, and assigns.
7. The Permittee shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the special permit. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee. Building permits will not be issued unless the letter of acceptance has been filed.
8. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however the terms and conditions of all prior resolutions approving this Combined Special Permit/Use Permit remain in full force and effect except as specifically amended by this resolution.

Introduced by Roy Christensen

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

AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE STATE OF NEBRASKA DEPARTMENT OF ROADS (NDOR) SO THAT FEDERAL FUNDS MAY BE USED FOR CONSTRUCTION AND CONSTRUCTION ENGINEERING OF THE OLD CHENEY ROAD, 40TH STREET TO HIGHWAY 2 PAVEMENT REPAIR PROJECT - PRIOR to reading:

FELLERS Moved to amend Bill 17R-71 as follows:

1. On line 7 after the work " bids", insert the following: "on March 2, 2017";
2. On line 7 after the works "work and", insert the words: "selected MTZ Construction, LLC as" and strike the words "shall select a contractor based upon a determination of";
3. On line 11 after the word "of", insert words: "MTZ Construction, LLC" and strike the words "the above mentioned contractor".

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

CLERK Read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-90293 WHEREAS, the City of Lincoln adopted Resolution No. A-89167 on August 12, 2015 approving a Program Agreement between the City of Lincoln and the State of Nebraska Department of Roads for the use of Federal Surface Transportation Program Funds for construction and construction engineering of Old

Cheney Road, 40th Street to Highway 2 Pavement Repair Project, City Project No. 540041, State Project No. LCLC-5202(9), CN 13315; and

WHEREAS, the State and City received bids on March 2, 2017 for the proposed work and selected MTZ Construction, LLC as ~~shall select a contractor based upon a determination of~~ the lowest responsible bidder.

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

That the City concurs in the selection of MTZ Construction, LLC ~~the above mentioned contractor~~; that the City does not desire to perform the work with its own forces in lieu of performing the work by the contract method; and hereby authorizes the Mayor to execute the construction contract on behalf of the City.

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The City Clerk is directed to return the executed copies of the Agreements to Erika Nunes, Engineering Services, Public Works & Utilities, for transmittal and execution by the State Department of Roads.

Introduced by Roy Christensen

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

APPROVING A CONSTRUCTION ENGINEERING SERVICES TASK ORDER AGREEMENT BETWEEN THE CITY OF LINCOLN AND ALFRED BENESCH AND COMPANY FOR THE OLD CHENEY ROAD, 40TH STREET TO HIGHWAY 2 PAVEMENT REPAIR PROJECT. CITY PROJECT NO. 540041. STATE PROJECT NO. LCLC-5202(9), CN 13315 - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-90294 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 Alfred Benesch and Company 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 Alfred Benesch and Company for engineering services for the Old Cheney Road, 40th Street to Highway 2 Pavement Repair project, State Project No. LCLC-5202(9), Control No. 13315, 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 Erika Nunes, Engineering Services, Public Works and Utilities Department, for transmittal and execution by the State Department of Roads.

Introduced by Roy Christensen

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

MISCELLANEOUS 16006 – DECLARING THE “NORTH COTNER BOULEVARD AND P STREET REDEVELOPMENT AREA” WHICH CONSISTS OF APPROXIMATELY 11.6 ACRES OF LAND, GENERALLY BOUNDED BY P STREET, COTNER BOULEVARD, NORTH 56TH STREET, AND R STREET, ALONG WITH ADJACENT STREET RIGHTS-OF-WAY IN SOUTH 56TH STREET, P AND R STREETS, AND NORTH COTNER BOULEVARD, AS BLIGHTED AND SUBSTANDARD - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-90295 WHEREAS, it is desirable and in the public interest that the City of Lincoln, Nebraska, a municipal corporation and a city of the primary class, undertake and carry out urban redevelopment projects in areas of the City which are determined to be substandard and blighted and in need of redevelopment; and

WHEREAS, Chapter 18, Article 21, Nebraska Reissue Revised Statutes of 1943, as amended, known as the Community Development Law, is the urban renewal and redevelopment law for the State of Nebraska and prescribes the requirements and procedures for the planning and implementation of urban redevelopment projects; and

WHEREAS, the City, in accordance with its Home Rule Charter and the laws of the State of Nebraska applicable to cities of the primary class, has duly prepared and approved a general plan for the development of the City known as its Comprehensive Plan, all as required by Section 18-2110, R.R.S. 1943; and

WHEREAS, this Council has received and duly considered evidence relating to the present condition of the North Cotner Boulevard and P Street Redevelopment Area, generally bounded by P Street, Cotner Boulevard, North 56th Street, and R Street, along with adjacent street rights-of-way in South 56th Street, P and R Streets, and North Cotner Boulevard, as shown and described on Attachment "A" (entitled North Cotner Boulevard and P Street Redevelopment Area Blight and Substandard Determination Study); and

WHEREAS, this Council has received and duly considered other evidence, including evidence relating to the scope and limitations of the nearby redevelopment plans in the area, and the inability of the other plans to effectively remedy the substandard and blighted conditions;

WHEREAS, Article 8, Section 12 of the Constitution of the State of Nebraska requires that said area must be found to be both substandard and blighted in order for tax increment financing to be used in said area; and

WHEREAS, Section 18-2109, R.R.S. 1943, as amended, requires that prior to the preparation by the City of an urban redevelopment plan for a redevelopment project for the North Cotner Boulevard and P Street Redevelopment Area, this Council as governing body of the City, by resolution, after review and recommendation from the Lincoln City - Lancaster County Planning Commission, find and determine that said area is both a substandard and blighted area as defined in said Community Development Law, and in need of redevelopment; and

WHEREAS, on January 20, 2017, 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 a 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 determination that the North Cotner Boulevard and P Street Redevelopment Area be declared a blighted and substandard area as defined in the Nebraska Community Development Law, a copy of said notice and list of said registered neighborhood associations having been attached hereto as Attachment "B" and "C" respectively; and

WHEREAS, the Lincoln City - Lancaster County Planning Commission on February 1, 2017 recommended that the North Cotner Boulevard and P Street Redevelopment Area be found to be both a substandard and blighted area as defined in said Community Development Law and the evidence demonstrates that said North Cotner Boulevard and P Street Redevelopment Area as shown and described on Attachment "A" constitutes both a substandard and blighted area as defined in said Community Development Law, which area is in need of redevelopment.

WHEREAS, on February 17, 2017 a notice of public hearing was mailed, postage prepaid, to the foregoing 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 March 6, 2017 regarding the proposed determination that the North Cotner Boulevard and P Street Redevelopment Area be declared a blighted and substandard area as defined in the Nebraska Community Development Law, a copy of said notice having been attached hereto as Attachment "D"; and

WHEREAS, on February 17, 2017 and February 24, 2017 a notice of public hearing was published in the Lincoln Journal Star newspaper, setting forth the time, date, place, and purpose of the public hearing to be held on March 6, 2017 regarding the proposed determination that the North Cotner Boulevard and P Street Redevelopment Area be declared a blighted and substandard area as defined in the Nebraska Community Development Law, a copy of such notice having been attached hereto and marked as Attachment "E"; and

WHEREAS, on March 6, 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 determination that the North Cotner Boulevard and P Street Redevelopment Area be declared a blighted and substandard area as defined in the Nebraska Community Development Law and all interested parties were afforded at such public hearing a reasonable opportunity to express their views respecting said proposed plan; and

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

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

1. That it is hereby found and determined that substandard and blighted conditions exist as set forth and discussed in Attachment "A" (entitled North Cotner Boulevard and P Street Redevelopment Area Blight and Substandard Determination Study) attached hereto and incorporated herein as though fully set forth verbatim.

2. That it is hereby found and determined that the North Cotner Boulevard and P Street Redevelopment Area as shown and described on Attachment "A", constitutes both a substandard and blighted area as defined by subsections (10) and (11), respectively, of Section 18-2103, R.R.S. 1943, as amended, and that said area is in need of redevelopment.

3. That it is hereby found and determined that said area is an eligible site for redevelopment projects under the provision of Chapter 18, Article 21, Nebraska Revised Statutes of 1943, as amended.

4. That the elimination of said substandard and blighted conditions under the authority of the Community Development Law is found to be a public purpose and in the public interest.

5. That such substandard and blighted conditions are beyond remedy and control solely by regulatory process and the exercise of police power and cannot be dealt with effectively by the ordinary operations or private enterprise without the aid provided by the Community Development Law, specifically including Tax Increment Financing.

BE IT FURTHER RESOLVED that the Department of Urban Development as the duly designated community development agency for the City of Lincoln is hereby authorized and directed to immediately proceed with the preparation of a new redevelopment plan and associated projects for the North Cotner Boulevard and P Street Redevelopment Area, which plan shall be prepared in accordance with the requirements and procedures of said Chapter 18, Article 21, for ultimate review and consideration by this Council.

Introduced by Roy Christensen

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

APPROVING AN AMENDMENT TO THE 18TH AND P REDEVELOPMENT PROJECT IN THE ANTELOPE VALLEY REDEVELOPMENT PLAN TO AMEND THE PROJECT AREA BY REMOVING THE SOUTH HALF OF THE BLOCK AND VACATED EAST-WEST ALLEY ON THE BLOCK GENERALLY BOUNDED BY O STREET, P STREET, 18TH STREET, AND ANTELOPE VALLEY PARKWAY - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

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A-90296 A Resolution amending Attachment A attached to Resolution No. A-88642 establishing the 18th & P Multifamily Redevelopment Project within the Antelope Valley Redevelopment Plan to remove Lots 7-16, Block 29, Kinney's O Street Addition and the adjacent vacated east-west alley in said Block 29 from the description of the real property constituting the project area.

WHEREAS, Resolution No. A-88642 adopted by the City Council on November 17, 2014 established the 18th & P Multifamily Redevelopment Project as described in the document entitled "Antelope Valley Redevelopment Plan for the 18th & P Multifamily Redevelopment Project" attached to Resolution No. A-88642 as Attachment A.

WHEREAS, the project area as described and shown in Attachment A includes Lots 2-16, Block 29, Kinney's O Street Addition.

WHEREAS, the 18th & P Multifamily Redevelopment Project called for the assembly of private property by the Redeveloper and redevelopment of a portion of three (3) underutilized blocks with existing surface parking lots and deteriorating structures into three residential buildings on two of the blocks and a multi-story parking garage facility on the north half of the third block (i.e. Block 29, Kinney's O Street Addition).

WHEREAS, since the assembly of private property by the Redeveloper did not include the south half of Block 29, Kinney's O Street Addition and the adjacent vacated east-west alley in said Block 2, the Project Area for the 18th & P Multifamily Redevelopment Project should be revised to remove the Lots 7-16, Block 29, Kinney's O Street Addition (i.e. S ½ of Block 29) and the adjacent vacated east-west alley from the real properties included within the project area.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska that the project area description of the 18th & P Multifamily Redevelopment Project in Attachment A attached to Resolution No. A-88642 be amended to read as follows:

The Project area includes the following real property:

Lot 1, Hancock Addition; Lots A-D, Mickey's Subdivision; Lots 1-2 and Lots 11-12, Block 11; Lots 8-11, Block 12; and Lots 2-6, Block 29, Kinney's O Street Addition, and adjacent rights-of-way to the blocks, including the proposed vacated rights-of-way as shown on the project area exhibit.

BE IT FURTHER RESOLVED that the project area exhibit included within Attachment A be revised to remove Lots 7-16, Block 29, Kinney's O Street Addition and the vacated east-west alley in said Block 29 from the project area.

Introduced by Roy Christensen

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

APPROVING AN AMENDMENT TO THE ASPEN HEIGHTS REDEVELOPMENT PROJECT REDEVELOPMENT AGREEMENT BETWEEN BRECKENRIDGE GROUP LINCOLN, LLC AND THE CITY OF LINCOLN TO AMEND THE REDEVELOPMENT AREA BY REMOVING THE SOUTH HALF OF THE BLOCK AND VACATED EAST-WEST ALLEY ON THE BLOCK GENERALLY BOUNDED BY O STREET, P STREET, 18TH STREET, AND ANTELOPE VALLEY PARKWAY - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-90297 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Amendment No. 1 to the Redevelopment Agreement for Aspen Heights between the City of Lincoln, Nebraska and Breckenridge Group Lincoln, Nebraska, LLC, amending the Redevelopment Agreement approved by Resolution No. A-88699, to amend the redevelopment area by removing the south half of the block and vacated east west alley on the block generally bounded by O Street, P Street, 18th Street, and Antelope Valley Parkway, is hereby approved and accepted and the Mayor is authorized to execute said Amendment No. 1 to the Redevelopment Agreement on behalf of the City.

The City Clerk is directed to return one fully executed copy of the Amendment to Wynn Hjermstad for transmittal to Breckenridge Group Lincoln, Nebraska, LLC.

Introduced by Roy Christensen

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

PUBLIC HEARING ORDINANCES - 2ND READING & RELATED RESOLUTIONS

ANNEXATION 17001 – AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 2.07 ACRES OF PROPERTY GENERALLY LOCATED SOUTHWEST OF SOUTH CODDINGTON AVENUE AND WEST VAN DORN STREET - CLERK read an ordinance, introduced by Roy Christensen, 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 second time.

AMENDING CHAPTER 10.06 OF THE LINCOLN MUNICIPAL CODE RELATING TO ADMINISTRATION AND ENFORCEMENT BY AMENDING SECTION 10.06.070 TO ALLOW VOLUNTEER CROSSING GUARDS TO ASSIST CHILDREN IN CROSSING STREETS BY ADDING CLARIFYING LANGUAGE AND REPEALING SECTION 10.06.070 OF THE LINCOLN MUNICIPAL CODE AS

HITHERTO EXISTING - CLERK read an ordinance, introduced by Roy Christensen, amending Section 10.06.070 of the Lincoln Municipal Code to allow volunteer crossing guards to assist children in crossing streets by adding clarifying language and repealing Sections 10.06.070 of the Lincoln Municipal Code as hitherto existing, the second time.

APPROVING THE TRANSFER OF CASH AND APPROPRIATIONS FOR WILLARD COMMUNITY CENTER CAPITAL CAMPAIGN FOR RENOVATIONS. (RELATED ITEMS: 17-28, 17R-65) - CLERK read an ordinance, introduced by Roy Christensen, approving the transfer of cash and appropriations for Willard Community Center Capital Campaign for renovations, the second time

APPROVING THE CONTRACT FOR SERVICES BETWEEN WILLARD COMMUNITY CENTER AND THE CITY OF LINCOLN, NEBRASKA TO PROVIDE \$100,000 TO THE WILLARD COMMUNITY CENTER BY APRIL 15, 2017 TO SUPPORT THE CENTER'S RENOVATION PROJECT OF ITS FACILITY LOCATED AT 1245 FOLSOM STREET. (RELATED ITEMS: 17-28, 17R-65) (ACTION DATE: 3/13/17)

COMP. PLAN AMENDMENT 16006 – AMENDING THE 2040 LINCOLN-LANCASTER COUNTY COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE PLAN, TO MODIFY GROWTH TIERS AND FUTURE LAND USE, ON PROPERTY GENERALLY LOCATED AT NORTH 7TH STREET AND ALVO ROAD. (RELATED ITEMS: 17R-70, 17-31, 17R-66, 17-32) (ACTION DATE: 3/13/17) - PRIOR to reading:

CHRISTENSEN Moved to continue Public Hearing with Action 1 week to 03/13/17.

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

ANNEXATION 16015 – AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 35.55 ACRES OF PROPERTY GENERALLY LOCATED AT NORTH 7TH STREET AND ALVO ROAD. (RELATED ITEMS: 17R-70, 17-31, 17R-66, 17-32) - PRIOR to reading:

CHRISTENSEN Moved to continue Public Hearing with Action 1 week to 03/13/17.

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

CLERK Read an ordinance, introduced by Roy Christensen, annexing and including the below described land as part of the 2 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 second time.

APPROVING A CONDITIONAL ANNEXATION AND ZONING AGREEMENT BETWEEN THE CITY OF LINCOLN, NEBRASKA AND LONE TREE HOLDINGS, LLC FOR THE DEVELOPMENT AND ANNEXATION OF PROPERTY GENERALLY LOCATED AT NORTH 7TH STREET AND ALVO ROAD. (RELATED ITEMS: 17R-70, 17-31, 17R-66, 17-32) (ACTION DATE: 3/13/17) - PRIOR to reading:

CHRISTENSEN Moved to continue Public Hearing with Action 1 week to 03/13/17.

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

CHANGE OF ZONE 16041 – APPLICATION OF LEGACY HOMES, LLC FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT NORTH 7TH STREET AND ALVO ROAD (RELATED ITEMS: 17R-70, 17-31, 17R-66, 17-32) - PRIOR to reading:

CHRISTENSEN Moved to continue Public Hearing with Action 1 week to 03/13/17.

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

CLERK Read an ordinance, introduced by Roy Christensen, 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.

CHANGE OF ZONE 08010A – APPLICATION OF JLI WEST, INC. TO AMEND THE WOODSIDE VILLAGE PLANNED UNIT DEVELOPMENT, FORMERLY KNOWN AS HUB HALL HEIGHTS COMMERCIAL CENTER, 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 NORTHWEST 48TH STREET AND WEST HOLDREGE STREET (RELATED ITEMS: 17-33, 17R-67) - CLERK read an ordinance, introduced by Roy Christensen, amending Ordinance No. 19083 which (1) transferred: a tract of land composed of a portion of Outlot 'C', Hub Hall Heights 1st Addition, located in the southeast quarter of section 18, township 10 north, range 6 east of the 6th P.M., City of Lincoln, Lancaster County, Nebraska, and more particularly described as follows, the second time.

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APPROVING AMENDMENT NO. 1 TO THE HUB HALL HEIGHTS CONDITIONAL ANNEXATION AND ZONING AGREEMENT BETWEEN JLI WEST, INC. AND THE CITY OF LINCOLN, NEBRASKA TO DEVELOP THE PROPERTY WITHIN THE HUB HALL HEIGHTS COMMUNITY PLAN AND HUB HALL HEIGHTS COMMERCIAL CENTER PLANNED UNIT DEVELOPMENT WITH BUILDABLE LOTS ADJACENT TO WEST HOLDREGE STREET ON PROPERTY GENERALLY LOCATED NORTHEAST OF NORTHWEST 48TH STREET AND NORTH OF HOLDREGE STREET. (RELATED ITEMS: 17-33, 17R-67) (ACTION DATE: 3/13/17)

ORDINANCES - 3RD 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:

LAMM Moved to adopt the substitute ordinance attached hereto.
Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Fellers Lamm; NAYS: Eskridge, Gaylor Baird; ABSENT: Raybould.

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 third time.

FELLERS Moved to pass the ordinance as amended.
Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Fellers Lamm; NAYS: Eskridge, Gaylor Baird; ABSENT: Raybould.
The ordinance, being numbered **#20450**, is recorded in Ordinance Book 32.

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 third time.

CHRISTENSEN Moved to pass the ordinance as read.
Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm; NAYS: None; ABSENT: Raybould.
The ordinance, being numbered **#20451**, is recorded in Ordinance Book 32.

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 third time.

CHRISTENSEN Moved to pass the ordinance as read.
Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm; NAYS: None; ABSENT: Raybould.
The ordinance, being numbered **#20452**, is recorded in Ordinance Book 32.

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 third time.

CHRISTENSEN Moved to pass the ordinance as read.
Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm; NAYS: None; ABSENT: Raybould. Lamm.
The ordinance, being numbered **#20453**, is recorded in Ordinance Book 32.

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 third time.

CHRISTENSEN Moved to pass the ordinance as read.

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

The ordinance, being numbered #20454, is recorded in Ordinance Book 32.

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) - CLERK read the following resolution, introduced by Jane Raybould, Roy Christensen moved its adoption:

A-90298 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the Conditional Annexation and Zoning Agreement which is attached hereto, marked as Attachment "A" and made a part hereof by reference, by and among the City of Lincoln, Nebraska and the following Property Owners, Dwaine Scott Rogge, Hanover II, LLC, Hanover III, LLC, and RF Properties, Inc., the owners of property ("Property") generally located at North 70th Street and Arbor Road and legally described as Lots 27, 31, 47, 48, and 49 of Irregular Tracts, all located in the Southeast Quarter of Section 28, Township 11 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska, relating to the annexation of portions of the Property; re-zoning portions of the Property from AG Agricultural District to I-2 Industrial Park District; and approving a preliminary plat for the Property known as Rogge Square, as set out in the Agreement is hereby approved and the Mayor is authorized to execute the Conditional Annexation and Zoning Agreement on behalf of the City.

BE IT FURTHER RESOLVED that the City Clerk is directed to return the original and one fully executed copy of the Conditional Annexation and Zoning Agreement to Andrew Thierolf, Planning Department, for recording with the Register of Deeds and distribution to the Property Owners. Recording fees are to be paid in advance by the Property Owners.

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

Introduced by Jane Raybould

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

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 third time.

CHRISTENSEN Moved to pass the ordinance as read.

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

The ordinance, being numbered #20455, is recorded in Ordinance Book 32.

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) - CLERK read the following resolution, introduced by Jane Raybould, Roy Christensen moved its adoption:

A-90299 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

1. That the Annexation Agreement for Van Dorn Street Coalition, which is attached hereto, marked as Attachment "A" and made a part hereof by reference, by and among JLW LP, Clair W. Cooley and Linda Cooley, Roger H. Graff, Matodol, LLC, Daryl Lee Bohac and Kristie A. Bohac, Christopher A. Kidwell (collectively the "Parcel Owners"), and the City of Lincoln, Nebraska, outlining certain conditions and understandings relating to the annexation of approximately 5.12 acres of property generally located on the north side of Van Dorn Street, west of South 91st Street, is approved.

2. That the Mayor is authorized to execute the Annexation Agreement for Van Dorn Street Coalition on behalf of the City.

3. That the City Clerk is directed to return one fully executed copy of this Agreement to Rick Peo, Chief Assistant City Attorney, for distribution to the Parcel Owners.

4. The City Clerk is directed to record the Annexation Agreement for Van Dorn Street Coalition with the Register of Deeds to be indexed against the properties listed in Attachment "A" to the Annexation Agreement, filing fees to be paid by the Parcel Owners.

5. The City Clerk is directed to forward a copy of this Agreement to Michaela Dugan, Impact Fee Administrator.

Introduced by Jane Raybould

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

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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)- CLERK read the following resolution, introduced by Jane Raybould, Roy Christensen moved its adoption:

A-90300 WHEREAS, the Stevens Creek Sanitary Trunk Sewer Project has been previously established as a capital improvement project within the Capital Improvement Program adopted by and attached to the FY 2016/2017 – 2017/2018 biennial budget resolution; and

WHEREAS, it is necessary to amend the FY 2016/2017 – 2017/2018 biennial budget for both FY 2016/2017 and 2017/2018 to increase the total appropriations for Stevens Creek Sanitary Trunk Sewer Project to accommodate additional development, appropriating an additional \$4.2 million (\$1.6 million in FY 2016/2017 and \$2.6 million in FY 2017/2018) to Project #0827.

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

1. That the City Council hereby increases the appropriation by \$4.2 million for Stevens Creek Sanitary Trunk Sewer Project #0827.

2. That the Finance Director is directed to make the necessary adjustments in the FY 2016/2017 – 2017/2018 biennial budget for both FY 2016/2017 and 2017/2018 to accomplish the above increases in appropriations to Stevens Creek Sanitary Trunk Sewer Project #0827.

Funding will include revenues and revenue bond proceeds.

Introduced by Jane Raybould

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

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 third time.

CHRISTENSEN Moved to pass the ordinance as read.

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

The ordinance, being numbered **#20456**, is recorded in Ordinance Book 32.

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

FELLERS Moved to pass the ordinance as read.

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

The ordinance, being numbered **#20457**, is recorded in Ordinance Book 32.

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) - 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 third time.

FELLERS Moved to pass the ordinance as read.

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

The ordinance, being numbered **#20458**, is recorded in Ordinance Book 32.

RESOLUTIONS - 1ST READING

COMP. PLAN CONFORMANCE 17001 – APPROVING AN AMENDMENT TO THE NEBRASKA INNOVATION CAMPUS REDEVELOPMENT PLAN TO REDEFINE THE PROJECT AREA FOR PHASE 1 TO REDUCE THE OVERALL SIZE, INCLUDING THE REMOVAL OF LOT 1, NEBRASKA INNOVATION CAMPUS 1ST ADDITION, AND ALSO TO IDENTIFY THE PROJECT AREA FOR THE PHASE 2 PROJECT, WITHIN THE REDEVELOPMENT AREA GENERALLY LOCATED FROM

NORTH ANTELOPE VALLEY PARKWAY TO NORTH 27TH STREET, BETWEEN SALT CREEK AND THE BURLINGTON NORTHERN SANTA FEE RAILROAD CORRIDORS, AND TO DESCRIBE THE PHASE 2 PROJECT WHICH INCLUDES CONSTRUCTION OF A 3-STORY OFFICE BUILDING OF APPROXIMATELY 80,000 SQUARE FEET, ON PROPERTY LOCATED AT TRANSFORMATION DRIVE AND 21ST STREET.

APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN NEBRASKA LAW ENFORCEMENT, NEBRASKA BROADCASTERS, AND NEBRASKA AMBER PLAN COMMITTEE FOR THE RESPONSE TO THE ABDUCTION OF CHILDREN.

ORDINANCES - 1ST READING & RELATED RESOLUTIONS (AS REQUIRED) - NONE.

ADJOURNMENT

5:28 P.M.

CAMP Moved to adjourn the City Council Meeting of March 6, 2017.
Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm; NAYS: None; ABSENT: Raybould.

Teresa J. Meier, City Clerk

Monet J. McCullen, Office Specialist

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