

**THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, APRIL 17, 2017 AT 3:00 P.M.**

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

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

CHRISTENSEN Having been appointed to read the minutes of the City Council Proceedings of April 10, 2017, reported having done so, found same correct.

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

PUBLIC HEARING

MANAGER APPLICATION OF KATRIN ZIMMERMAN FOR BRUNO ENTERPRISES, INC. DBA BUFFALO WILD WINGS AT 1328 P STREET AND 7301 SOUTH 27TH STREET, SUITE 100 - Katrin Zimmerman, 4621 Happy Hallow Court, came forward to take the oath and requested approval.

This matter was taken under advisement.

MANAGER APPLICATION OF CHARLES E. LECORGNE JR. FOR LEVY PREMIUM FOODSERVICE, LP DBA LEVY RESTAURANTS AT HAYMARKET PARK AT 403 LINE CIRCLE DRIVE - Charles E. LeCorgne Jr., 3645 L Street, came forward to take the oath and requested approval.

This matter was taken under advisement.

MANAGER APPLICATION OF ADAM J. MICHELETTI FOR STAR CITY HOCKEY, LLC DBA LINCOLN STARS HOCKEY AT 1880 TRANSFORMATION DRIVE - Adam Micheletti, 6301 Kelsey Lane, came forward to take the oath and requested approval. Discussion followed.

This matter was taken under advisement..

MANAGER APPLICATION OF KEVIN S. DROUGHT FOR RED ROBIN INTERNATIONAL, INC. DBA RED ROBIN AMERICA'S GOURMET BURGERS & SPIRITS AT 2707 PINE LAKE ROAD - Kevin S. Drought, 2935 Kaitlyn Lane, came forward to take the oath and requested approval.

MANAGER APPLICATION OF JOSEPH M. HOLMES FOR MVPZ & ME-LINCOLN, LLC DBA BURGERFI AT 300 CANOPY STREET, SUITE 150 - Joseph M. Holmes, 300 Canopy Street, came forward to take the oath and requested approval.

This matter was taken under advisement.

ANNEXATION 17003 – AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 7.19 ACRES OF PROPERTY GENERALLY LOCATED AT SOUTH 80TH STREET AND LILEE LANE;

CHANGE OF ZONE 17004 – APPLICATION OF ROKEBY HOLDINGS, LTD FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT SOUTH 80TH STREET AND LILEE LANE - Mike Eckert, Civil Design Group, 8535 Executive Woods Drive, Suite 200, came forward on behalf of Rokeby Holdings Ltd and stated this project is regarding the Grand View Estates project on 70th Street and now the project has progressed closer to 80th Street. This was approved in the Annexation Agreement that was passed by Council 10 years ago. This is a change from AG to R-3 to move forward on the next phase of 7.2 acres.

Leirion Gaylor Baird, Council Chair, stated she is aware that South 70th Street is a County road and inquired if there were plans to bringing that road up to City standards.

Mr. Eckert explained that the developer was obligated to put in turn lanes on 70th Street and that was completed. Discussion followed.

This matter was taken under advisement.

COUNCIL ACTION

REPORTS OF CITY OFFICERS

REQUEST OF PUBLIC WORKS TO SET THE HEARING DATE OF MONDAY, MAY 1, 2017 AT 3:00 P.M. & PLACE ON THE FORMAL CITY COUNCIL AGENDA THE FOLLOWING:

17-58 PROVIDE AUTHORITY TO CREATE AN ALLEY REPAVING DISTRICT TO PAVE THE EAST END OF ALLEY THAT RUNS FROM 18TH ST. TO ANTELOPE VALLEY PARKWAY, BETWEEN O & N STREETS & ASSESSING THE COSTS THEREOF AGAINST THE BENEFITTED PROPERTIES.

REGULAR MEETING

APRIL 17, 2017

PAGE 350

CLERK Requested a motion to approve the request of Public Works to set the hearing date.
FELLERS Moved to approve the request of Public Works to set the hearing date.
Seconded by Eskridge & carried by the following vote: AYES: Christensen, Eskridge, Fellers,
Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp.

AFFIDAVITS OF MAILING FOR BOARD OF EQUALIZATION FOR COLLEGE VIEW MAINTENANCE BUSINESS IMPROVEMENT DISTRICT, HAVELOCK STREET MAINTENANCE BUSINESS IMPROVEMENT DISTRICT, NORTH 27TH STREET MAINTENANCE BUSINESS IMPROVEMENT DISTRICT, SOUTH STREET MAINTENANCE BUSINESS IMPROVEMENT DISTRICT, UNIVERSITY PLACE MAINTENANCE BUSINESS IMPROVEMENT DISTRICT - CLERK presented said report which was placed on file in the Office of the City Clerk.

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTION AND ORDINANCES PASSED BY CITY COUNCIL ON APRIL 3, 2017 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(27-1)**

REPORT FROM CITY TREASURER OF FRANCHISE FEES FROM BLACK HILLS CORPORATION FOR THE MONTHS OF JANUARY & FEBRUARY, 2017 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(16-1)**

REPORT FROM CITY TREASURER OF 911 SURCHARGES FOR THE MONTHS OF FEBRUARY & MARCH, 2017 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(20-02)**

REPORT FROM CITY TREASURER OF CHARTER COMMUNICATIONS CABLE FRANCHISE ACH VENDOR PAYMENT REPORT FOR THE MONTHS OF OCTOBER, NOVEMBER AND DECEMBER, 2016 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(41-2518A)**

REPORT FROM CITY TREASURER OF ALLO PERSONAL EDUCATION GOVERNMENT FEES FOR THE MONTH OF JANUARY, 2017 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(41-2518B)**

REPORT FROM CITY TREASURER OF ALLO PERSONAL EDUCATION GOVERNMENT FEES FOR THE MONTH OF FEBRUARY, 2017 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(41-2518B)**

PETITIONS & COMMUNICATIONS

SETTING THE HEARING DATE OF MONDAY, MAY 1, 2017 AT 3 P.M. ON THE MANAGER APPLICATION OF PETER T. CLARKE FOR FOODMART II INC. DBA MARKET PLACE IGA AT 4646 W. HUNTINGTON AVENUE - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-90385 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, May 1, 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 Peter T. Clarke for Foodmart II Inc. dba Market Place IGA at 4646 W. Huntington Avenue.

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

Introduced by Roy Christensen

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

SETTING THE HEARING DATE OF MONDAY, MAY 1, 2017 AT 3 P.M. ON THE MANAGER APPLICATION OF ROBERT E. MILLER FOR JSD LLC DBA HUSKERVILLE PUB & PIZZA AT 2805 NW 48TH STREET - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-90386 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, May 1, 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 Robert E. Miller for JSD LLC dba Huskerville Pub & Pizza at 2805 NW 48th Street.

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

Introduced by Roy Christensen

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

SETTING THE HEARING DATE OF MONDAY, MAY 1, 2017 AT 3 P.M. ON THE MANAGER APPLICATION OF JAY GATES FOR RMH FRANCHISE CORPORATION DBA APPLEBEE'S NEIGHBORHOOD GRILL & BAR AT 6100 'O' STREET, UNIT 318, 3951 N. 27TH STREET AND 3730 VILLAGE DRIVE - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-90387 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, May 1, 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 Jay Gates for RMH Franchise Corporation dba Applebee's Neighborhood Grill & Bar at 6100 'O' Street, Unit 318, 3951 N. 27th Street and 3730 Village Drive.

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

Introduced by Roy Christensen

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

SETTING THE HEARING DATE OF MONDAY, MAY 1, 2017 AT 3:00 P.M. ON THE APPLICATION OF BURT FAMILY BAR-B-QUE LLC DBA PHAT JACK'S BBQ FOR A CLASS IK LIQUOR LICENSE AT 101 SW 14TH PLACE - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-90388 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, May 1, 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 Burt Family Bar-B-Que LLC dba Phat Jack's BBQ for a Class IK Liquor License at 101 SW 14th Place.

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

Introduced by Roy Christensen

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

SETTING THE HEARING DATE OF MONDAY, MAY 1, 2017 AT 3:00 P.M. ON THE APPLICATION OF SEVEN DIAMONDS LLC DBA TALON ROOM FOR A CLASS CK LIQUOR LICENSE AT 230 N. 12TH STREET, SUITE 1 - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-90389 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, May 1, 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 Seven Diamonds LLC dba Talon Room for a Class CK Liquor License at 230 N. 12th Street, Suite 1.

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

Introduced by Roy Christensen

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

SETTING THE HEARING DATE OF MONDAY, MAY 1, 2017 AT 3:00 P.M. ON THE APPLICATION OF FOOD FOR THOUGHT LLC DBA BREAD & CUP FOR A CLASS C LIQUOR LICENSE AT 440 N. 8TH STREET - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-90390 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, May 1, 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 Food for Thought LLC dba Bread & Cup for a Class C Liquor License at 440 N. 8th Street.

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

Introduced by Roy Christensen

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

SETTING THE HEARING DATE OF MONDAY, MAY 1, 2017 AT 3:00 P.M. ON THE APPLICATION OF ENDGAME OPERATING GROUP LLC DBA BIG RED RESTAURANT & SPORTS BAR FOR A CLASS C LIQUOR LICENSE AT 8933 ANDERMATT DRIVE - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-90391 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, May 1, 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 Endgame Operating Group LLC dba Big Red Restaurant & Sports Bar for a Class C Liquor License at 8933 Andermatt Drive.

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

Introduced by Roy Christensen

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

INFORMAL PETITION TO CREATE AN ALLEY PAVING DISTRICT IN THE EAST-WEST ALLEY BETWEEN N. 27TH AND N. 28TH FROM VINE STREET TO PEAR STREET SUBMITTED BY TRAVIS GOLLOTT - CLERK presented said report which was referred to Public Works.

PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:

Administrative Amendment No. 16068 to Special Permit No. 04017, T-Mobile Collocation, approved by the Planning Director on April 5, 2017, to revise the site plan to show a third collocation antennae on the existing wireless facility along with a third ground equipment shelter, generally located at 4221 J Street.

LIQUOR RESOLUTIONS

MANAGER APPLICATION OF KATRIN ZIMMERMAN FOR BRUNO ENTERPRISES, INC. DBA BUFFALO WILD WINGS AT 1328 P STREET AND 7301 SOUTH 27TH STREET, SUITE 100 - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption for approval:

A-90392 WHEREAS, Bruno Enterprises, Inc. dba Buffalo Wild Wings located at 1328 P Street and 7301 South 27th Street, Suite 100, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Katrin Zimmerman be named manager;

WHEREAS, Katrin Zimmerman 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 Katrin Zimmerman 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 Roy Christensen

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

MANAGER APPLICATION OF CHARLES E. LECORGNE JR. FOR LEVY PREMIUM FOODSERVICE, LP DBA LEVY RESTAURANTS AT HAYMARKET PARK AT 403 LINE CIRCLE DRIVE - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption for approval:

A-90393 WHEREAS, Levy Premium Foodservice, LP dba Levy Restaurants at Haymarket Park located at 403 Line Circle Drive, Lincoln, Nebraska has been approved for a Retail Class "IK" liquor license, and now requests that Charles E. LeCorgne be named manager;

WHEREAS, Charles E. LeCorgne 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 Charles E. LeCorgne 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 Roy Christensen

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

MANAGER APPLICATION OF ADAM J. MICHELETTI FOR STAR CITY HOCKEY, LLC DBA LINCOLN STARS HOCKEY AT 1880 TRANSFORMATION DRIVE - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption for approval:

A-90394 WHEREAS, Star City Hockey, LLC dba Lincoln Stars Hockey located at 1880 Transformation Drive, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Adam J. Micheletti be named manager;

WHEREAS, Adam J. Micheletti 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 Adam J. Micheletti 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 Roy Christensen

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

MANAGER APPLICATION OF KEVIN S. DROUGHT FOR RED ROBIN INTERNATIONAL, INC. DBA RED ROBIN AMERICA'S GOURMET BURGERS & SPIRITS AT 2707 PINE LAKE ROAD - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption for approval:

A-90395 WHEREAS, Red Robin International, Inc. dba Red Robin America's Gourmet Burgers & Spirits located at 2707 Pine Lake Road, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Kevin S. Drought be named manager;

WHEREAS, Kevin S. Drought 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 Kevin S. Drought 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 Roy Christensen

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

MANAGER APPLICATION OF JOSEPH M. HOLMES FOR MVPZ & ME-LINCOLN, LLC DBA BURGERFI AT 300 CANOPY STREET, SUITE 150 - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption for approval:

A-90396 WHEREAS, MVPZ & ME-Lincoln, LLC dba BurgerFi located at 300 Canopy Street, Suite 150, Lincoln, Nebraska has been approved for Retail Class "I" and "E" liquor licenses, and now requests that Joseph M. Holmes be named manager;

WHEREAS, Joseph M. Holmes 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 Joseph M. Holmes 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 Roy Christensen

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

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 MARCH 16-31, 2017 - CLERK read the following resolution, introduced by Jane Raybould, who moved its adoption:

A-90397 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 April 3, 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>	
Ruth Ann Ronne	\$ 849.20	Microtel Inn and Suites	\$ 765.21
Optum a/s/o United Healthcare	NAS*	Scott Albers	169.84
		David Bruno	50.00
		Blaine and Kristi Ambroz	3,856.00
		Tom Shrader	1,661.13
		Market Merchandisers Inc.	2,196.30
		<u>LITIGATION SETTLEMENT</u>	
		Leroy Duffie	\$160,000.00

* 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 Jane Raybould

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

PUBLIC HEARING ORDINANCES - 2ND READING & RELATED RESOLUTIONS

ANNEXATION 17003 – AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 7.19 ACRES OF PROPERTY GENERALLY LOCATED AT SOUTH 80TH STREET AND LILEE LANE - CLERK read an ordinance, introduced by Jane Raybould, an ordinance 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.

CHANGE OF ZONE 17004 – APPLICATION OF ROKEBY HOLDINGS, LTD FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT SOUTH 80TH STREET AND LILEE LANE - CLERK read an ordinance, introduced by Jane Raybould, an ordinance 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.

ORDINANCES - 3RD READING & RELATED RESOLUTIONS

ADOPTING THE SUPPLEMENTS TO THE LINCOLN MUNICIPAL CODE DATED JUNE 2016 AND DECEMBER 2016 AS PART OF THE OFFICIAL LINCOLN MUNICIPAL CODE - CLERK read an ordinance, introduced by Carl Eskridge, adopting the supplements to the Lincoln Municipal Code dated June 2016 and December 2016 as part of the official Lincoln Municipal Code, the third time.

ESKRIDGE Moved to pass ordinance as read:

Seconded by Raybould & carried by the following vote: AYES: Christensen, Eskridge, Gaylor Baird, Raybould; NAYS: Fellers, Lamm; ABSENT: Camp.

The ordinance, being numbered #20481, is recorded in Ordinance Book 32.

APPROVING THE LUMBERWORKS LINER BUILDING REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF LINCOLN AND LUMBERWORKS LOFTS, LLC RELATING TO THE REDEVELOPMENT OF PROPERTY GENERALLY LOCATED EAST OF CANOPY STREET AND SOUTH OF O STREET ADJACENT TO THE LUMBERWORKS PARKING GARAGE. (RELATED ITEMS: 17R-96, 17R-95, 17-46) (ACTION DATE: 4/17/17) - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-90398 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Lumberworks Liner Building Redevelopment Agreement between the City of Lincoln and Lumberworks Lofts, LLC relating to the redevelopment of property generally located east of Canopy Street and South of O Street and adjacent to the Lumberworks Parking Garage and adjacent rights-of-way to design and construct a multi-story building that wraps around the north and west sides of the existing City of Lincoln parking garage on the site and continuing south to N Street with approximately 75,000 square feet including retail, grocery, and office space and 53 residential units all distributed throughout four floors, upon the terms and conditions set forth in said Redevelopment Agreement, which is attached hereto marked as Attachment "A", 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 transmit one fully executed original and one copy of said Agreement to David Landis, Urban Development Department. David Landis is further directed to transmit the original Agreement to Lumberworks Lofts, LLC.

Introduced by Carl Eskridge

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

AMENDING THE FY 16/17 CIP TO AUTHORIZE AND APPROPRIATE \$2,041,096 IN TIF FUNDS FOR THE LUMBERWORKS LINER BUILDING REDEVELOPMENT PROJECT. (RELATED ITEMS: 17R-96, 17R-95, 17-46) (ACTION DATE: 4/17/17)- CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-90399 WHEREAS, Resolution No. A-89947, adopted by the City Council of Lincoln, Nebraska on August 22, 2016, amended the fiscal year 2016-2018 annual budgets for the City of Lincoln for the 2016-2017 fiscal year and further adopted the Capital Improvement Program attached to Resolution No. A-89947 as Schedule No. 5; and

WHEREAS, it is necessary to amend the Schedule of Capital Improvement Projects for the fiscal year beginning September 1, 2016 within the Capital Improvement Program (CIP) adopted by and attached to Resolution No. A-89947 as Schedule 5 to establish the Lumberworks Liner Building Redevelopment Subproject (an approved project in the Lincoln Center Redevelopment Plan) to design and construct a four story building that wraps around the north and west sides of the existing City of Lincoln parking garage on the site and continuing south to N Street with approximately 75,000 square feet including retail, grocery, and office space and 53 residential units all distributed throughout four floors, and to pay costs of site preparation and public enhancements associated with said Project as a capital improvement project within the adopted Capital Improvement Program; and (2) transferring and establishing appropriations in the amount of \$2,041,096.00 from TIF funds for said capital improvement project.

WHEREAS, Article IX-B Section 7 of the Lincoln City Charter states that, "The [city] council shall not appropriate any money in any budget for any capital improvements project unless and until the conformity or non-conformity of the project has been reported on by the Planning Department by special report or in connection with the Capital Improvements Programming process." The Charter definition of "Planning Department" includes the Planning Commission; and

WHEREAS, the Lincoln City-Lancaster County Planning Commission has previously reviewed the West Haymarket Redevelopment Project, of which the Lumberworks Liner Building Redevelopment Project is a part, for conformity or non-conformity with the Comprehensive Plan as a capital improvement project to be funded by TIF as part of its review of the amendment to the Lincoln Center Redevelopment Plan to add the West Haymarket Redevelopment Project, and the Planning Commission found the proposed project to be in conformity with the Comprehensive Plan.

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

1. That the implementation of the Lincoln Center Redevelopment Plan, Lumberworks Liner Building Redevelopment Subproject, to design and construct a four story building that wraps around the north and west sides of the existing City of Lincoln parking garage on the site and continuing south to N Street with approximately 75,000 square feet including retail, grocery, and office space and 53 residential units all distributed throughout four floors, and to pay costs of site preparation and public enhancements

associated with said Project, is hereby established and added to the Urban Development Department's list of fiscal year 2016-17 capital improvement projects within the Capital Improvement Program adopted by and attached to Resolution No. A-89947 as Schedule 5.

2. That the City Council hereby appropriates and directs the Finance Director to make the necessary adjustments to the annual budget to designate \$2,041,096.00 from Tax Increment Financing for this Lumberworks Liner Building Redevelopment Project.

Introduced by Carl Eskridge

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

AUTHORIZING THE ISSUANCE OF TAX ALLOCATION BONDS FOR THE LUMBERWORKS LINER BUILDING REDEVELOPMENT PROJECT. (RELATED ITEMS: 17R-96, 17R-95, 17-46) - CLERK read an ordinance, introduced by Carl Eskridge, authorizing the issuance of Tax Allocation Bonds for the Lumberworks Liner Building Redevelopment Project, the third time.

ESKRIDGE Moved to pass ordinance as read:

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

The ordinance, being numbered #20482, is recorded in Ordinance Book 32.

RESOLUTIONS - 1ST READING

APPOINTING DR. ELLEN WEISSINGER TO THE COMMUNITY HEALTH ENDOWMENT BOARD OF TRUSTEES FOR A TERM EXPIRING SEPTEMBER 1, 2018. (*CONSENT*)

APPOINTING DR. SHERI BLOK TO THE COMMISSION ON HUMAN RIGHTS FOR A TERM EXPIRING DECEMBER 31, 2018. (*CONSENT*)

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

APPROVING THE 11TH AND P & LINCOLN COMMERCIAL CLUB REDEVELOPMENT AGREEMENT AMONG THE CITY OF LINCOLN, CAS-NEB-NEDA, LLC, LINCOLN COMMERCIAL CLUB, LLC, AND COMMERCIAL CLUB ENTERPRISES, LLC RELATING TO THE REDEVELOPMENT OF PROPERTY GENERALLY LOCATED AT 200 NORTH 11TH STREET AND 211 NORTH 11TH STREET ON THE SOUTHWEST CORNER OF BLOCK 36 AND ADJACENT RIGHT OF WAY. (RELATED ITEMS: 17R-103, 17R-104, 17-53) (4/3/17 - INTRODUCTION DELAYED 1 WEEK TO 4/10/17) (4/10/17 - INTRODUCED DELAYED 1 WEEK TO 4/17/17) (ACTION DATE: 5/1/17)

AMENDING THE FY 16/17 CIP TO AUTHORIZE AND APPROPRIATE \$1,583,357 IN TIF FUNDS FOR THE 11TH AND P & LINCOLN COMMERCIAL CLUB PROJECT. (RELATED ITEMS: 17R-103, 17R-104, 17-53) (4/3/17 - INTRODUCTION DELAYED 1 WEEK TO 4/10/17) (4/10/17 - INTRODUCED DELAYED 1 WEEK TO 4/17/17) (ACTION DATE: 5/1/17)

AUTHORIZING THE ISSUANCE OF TAX ALLOCATION BONDS FOR THE 11TH AND P & LINCOLN COMMERCIAL CLUB REDEVELOPMENT PROJECT. (RELATED ITEMS: 17R-103, 17R-104, 17-53) (4/3/17 - INTRODUCTION DELAYED 1 WEEK TO 4/10/17) (4/10/17 - INTRODUCED DELAYED 1 WEEK TO 4/17/17) - CLERK read an ordinance, introduced by Roy Christensen, authorizing the issuance of Tax Allocation Bonds for the 11th and P & Lincoln Commercial Club Redevelopment Project, the first time.

AMENDING TITLE 2 OF THE LINCOLN MUNICIPAL CODE RELATING TO ESTABLISHING AN APPROPRIATE FUNDING LEVEL FOR THE CITY'S POLICE AND FIRE PENSION PLANS. (4/10/17 - INTRODUCED DELAYED 1 WEEK TO 4/17/17) - CLERK read an ordinance, introduced by Roy Christensen, amending Title 2 of the Lincoln Municipal Code relating to establishing an appropriate funding level for the City's Police and Fire Pension plans, the first time.

STREET & ALLEY VACATION 17001 – VACATING A PORTION OF THE NORTHEAST CORNER OF THE INTERSECTION OF SOUTH CANOPY STREET AND N STREET RIGHT-OF-WAY - CLERK read an ordinance, introduced by Roy Christensen, vacating a portion of South Canopy Street and N Street right-of-way located at the northeast corner of the intersection of South Canopy street and N street right-of-way, and retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the first time.

**REGULAR MEETING
APRIL 17, 2017
PAGE 356**

ADJOURNMENT

3:15 P.M.

CHRISTENSEN Moved to adjourn the City Council Meeting of April 17, 2017.
Seconded by Raybould & carried by the following vote: AYES: Christensen, Eskridge, Fellers,
Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp.

Teresa J. Meier, City Clerk

Monet J. McCullen, Office Specialist