

**THE MINUTES OF THE CITY COUNCIL MEETING HELD  
MONDAY, APRIL 24, 2017 AT 5:30 P.M.**

The Meeting was called to order at 5:30 p.m. Present: Council Chair Gaylor Baird; Council Members: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; City Clerk: Teresa Meier.

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

**READING OF THE MINUTES**

ESKRIDGE Having been appointed to read the minutes of the City Council Proceedings of April 17, 2017, reported having done so, found same correct.

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

**PUBLIC HEARING**

APPOINTING DR. ELLEN WEISSINGER TO THE COMMUNITY HEALTH ENDOWMENT BOARD OF TRUSTEES FOR A TERM EXPIRING SEPTEMBER 1, 2018 - Dr. Ellen Weissinger, 5330 New Castle Road, applicant, came forward and requested approval. Dr. Weissinger stated she has been employed at UNL for the past 31 years and will retire in May. She believes in the mission of this board and feels it would be a honor to serve with this group. Discussion followed.

This matter was taken under advisement.

APPOINTING DR. SHERI BLOK TO THE COMMISSION ON HUMAN RIGHTS FOR A TERM EXPIRING DECEMBER 31, 2018 - Dr. Sheri Blok, 3400 S 38<sup>th</sup> Street, applicant, came forward and requested approval. Dr. Bloc stated she has been teaching at Southeast Community College since 1998 and became aware of the commission from her employer. Discussion followed.

This matter was taken under advisement.

APPLICATION OF ZIPLINE BREWING CO. FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 86 FEET BY 52 FEET AT ZIPLINE BEER HALL AT 5740 HIDCOTE DRIVE ON MAY 17, 2017 BETWEEN NOON AND 10:00 P.M. - Diana Gutsche, 2003 S 23<sup>rd</sup> Street, came forward and requested approval. Discussion followed.

This matter was taken under advisement.

APPROVING THE 11<sup>TH</sup> 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 11<sup>TH</sup> STREET AND 211 NORTH 11<sup>TH</sup> 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 11<sup>TH</sup> 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 11<sup>TH</sup> 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) - David Landis, Urban Development Director, came forward and stated this is for the 11<sup>th</sup> and P Street Project and three partners working together on this project and investing 10.1 Million dollars. The Redevelopment Agreement would allow for up to \$1,583,357.00 in tax increment funding (TIF). These funds would be generated from the redevelopment of this property and would be used towards demolition, hotel with 34 rooms, an adjoining garage, skywalk, facade enhancements, streetscape and right-of-way improvements and utility improvements. There are plans to restore an old and unused ballroom. There will be 38 reserved parking stalls for the residents and 10 commercial parking stalls reserved also. The Planning Commission has approved of this plan. Discussion followed.

Jane Raybould, Council Member, inquired if the developers had any plans to improve the alley and also inquired why the alley is never included in redevelopment agreements. Discussion followed.

Mr. Landis explained that alley's are normally for utility use and that is why they are not included in the redevelopment plans and does not think the developer has any plans for the alley.

Cyndi Lamm, Council Member, inquired about the TIF bonding and if it would be secured by the developers lender or is that something that will be issued by the City.

Mr. Landis stated that the City will issue the bond but will not be responsible for its payment. The developer will be responsible, in the event there was not enough money to pay the bond, the developer would be responsible for making the difference. The pay back period for this project is about 2½ years, so the money that was diverted for the purpose of this project will create a revenue stream for all political sub divisions that will cover that diverted amount. Discussion followed.

Leirion Gaylor Baird, Council Chair, inquired about the 5<sup>th</sup> floor condo units TIF calculations, and if this applies to the potential build out of that 5<sup>th</sup> floor, wanting to know if the TIF is for the entire project with the 5<sup>th</sup> floor and if it is binding. Discussion followed.

Tim Sieh, City Attorney, came forward and stated this is a projection the developers put together and this is the calculation of the TIF for the 5<sup>th</sup> floor only. If the 5<sup>th</sup> floor were to be constructed this is the calculation that they would go with for the TIF funds. The TIF funds for this 5<sup>th</sup> floor addition to the project is included in the bond but will only be used if the 5<sup>th</sup> floor is built. Discussion followed.

Kent Seacrest, Seacrest & Kalkowski, 1111 Lincoln Mall, Suite 350, came forward on behalf of the three developers on this project. The developers have stated that the alley is also important to them and they will not be placing the garbage in the alley since the neighboring business has their front door in this alley. The plan is for the alley to have a look to it and knowing that it is the entrance for another establishment the developers plan to be very respectful about what the alley is used for. Discussion followed.

This matter was taken under advisement.

**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) - Rick Hoppe, Mayor's Office, came forward and stated the Mayor's Office has had conversations with both City Police and Fire on this amendment that took place last Tuesday. After our discussions, Police and Fire felt that they needed more time to go over the information and that is why we are asking for a delay. Discussion followed.**

Cyndi Lamm, Council Member, inquired if this amendment was passed by Council, how long until it would take affect. Discussion followed.

Mr. Hoppe stated as soon as it was passed by Council other departments like Finance would start making the changes necessary. Discussion followed.

This matter was taken under advisement.

**STREET & ALLEY VACATION 17001 – VACATING A PORTION OF THE NORTHEAST CORNER OF THE INTERSECTION OF SOUTH CANOPY STREET AND N STREET RIGHT-OF-WAY - David Landis, Urban Development Director, came forward and stated this will allow the builders to build their building to the property line. This is the vacation of 8' x 8' on the corner of Canopy Street and N Street. Discussion followed.**

This matter was taken under advisement.

## **COUNCIL ACTION**

### **REPORTS OF CITY OFFICERS**

**APPOINTING DR. ELLEN WEISSINGER TO THE COMMUNITY HEALTH ENDOWMENT BOARD OF TRUSTEES FOR A TERM EXPIRING SEPTEMBER 1, 2018 - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:**

A-90400 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of Dr. Ellen Weissinger to the Community Health Endowment Board of Trustees, for a term expiring September 1, 2018, is hereby approved.

Introduced by Roy Christensen

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

**APPOINTING DR. SHERI BLOK TO THE COMMISSION ON HUMAN RIGHTS FOR A TERM EXPIRING DECEMBER 31, 2018 - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:**

A-90401 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of Dr. Sheri Blok to the Commission on Human Rights, for a term expiring December 31, 2018, is hereby approved.

Introduced by Roy Christensen

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

APPROVING THE ASSESSMENT RESOLUTION FOR COLLEGE VIEW BUSINESS IMPROVEMENT DISTRICT AND ASSESSING THE COST AGAINST THE BENEFITTED PROPERTIES - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-90402

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

1. The cost of providing for the maintenance, repair and reconstruction of public improvements and facilities in the College View Business Improvement District including:
  - a. Maintenance of the irrigation system including Spring start-up and Fall shut-off;
  - b. Removal of litter from sidewalks, planting areas and beautification areas in the South 48<sup>th</sup> Street right-of-way;
  - c. Removal of trash from the South 48th Street trash receptacles;
  - d. Replacement, as needed, of street furniture, planters, ornamental lights and trash receptacles;
  - e. Care and maintenance of all landscaping to ensure plant health and appearance and create a safe environment;
  - f. Monitoring quantity of water applied and perform adjustments to controller and head direction and flow as necessary including the employment of or contracting for personnel, to provide for any service as may be necessary or proper to carry out the purposes of the Business Improvements District Act and cost incidental thereto, be and the same is hereby assessed upon the property in said district described in the proposed Distribution of Assessment attached to this resolution, marked "Proposed Distribution of Assessment of the College View Business Improvement District" and made a part hereof;
2. The cost of said activities is the sum of \$17,364.38.
3. The property set forth in the proposed Distribution of Assessment is specially benefitted by such activities and improvement.
4. Each piece and parcel of property described is specially benefitted in the amount set forth therein, and no property is taxed more than the special benefits accruing thereto by reason of said activities and improvements.
5. The cost of said activities and improvements is hereby apportioned and assessed upon the several pieces and parcels of property in said district in the manner and amount set forth in the proposed Distribution of Assessment of the College View Business Improvement District which is attached hereto and incorporated herein as Exhibit 1.

BE IT FURTHER RESOLVED that the City Clerk be and is hereby directed to record this resolution in the minutes of the City Council with the vote thereon by yeas and nays.

AND BE IT FURTHER RESOLVED that the City Council sit as Board of Equalization for the purpose of equalizing said assessments on the 1st day of May, 2017, at 3:00 p.m., and on the day of , 2017, at p.m., with adjournments from day to day until the work of equalizing said assessments shall be completed.

Introduced by Carl Eskridge

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

APPROVING THE ASSESSMENT RESOLUTION FOR HAVELOCK BUSINESS IMPROVEMENT DISTRICT AND ASSESSING THE COST AGAINST THE BENEFITTED PROPERTIES - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-90403

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

1. The cost of providing for the maintenance of certain public facilities in the Havelock Business Improvement District including:
  - a. Replacing of all landscaping followed by care and maintenance of said landscaping to include watering, fertilizing, weeding, pruning, spraying, mulching, and removal of dead plants, shrubs and trees as necessary;
  - b. Installation and maintenance of irrigation system for landscaping including seasonal shut off in the fall and startup in the spring;
  - c. Removal of trash from trash and cigarette receptacles;
  - d. Removal of litter from sidewalks, planting beds, planting areas, and the Pedestrian Walk Way on the north side of Havelock Avenue between 62nd and 63rd Streets;
  - e. Maintenance of street furniture, planters, ornamental lights, and trash and cigarette receptacles;
  - f. Snow removal including the employment of or contracting for personnel, to provide for any service as may be necessary or proper to carry out the purposes of the Business Improvements District Act and cost incidental thereto, be and the same is hereby assessed upon the property in said district described in the proposed Distribution of Assessment attached to this resolution, marked "Proposed Distribution of Assessment of the Havelock Business Improvement District" and made a part hereof;
2. The cost of said activities is the sum of \$14,245.40.
3. The property set forth in the proposed Distribution of Assessment is specially benefitted by such activities and improvement.
4. Each piece and parcel of property described is specially benefitted in the amount set forth therein, and no property is taxed more than the special benefits accruing thereto by reason of said activities and improvements.
5. The cost of said activities and improvements is hereby apportioned and assessed upon the several pieces and parcels of property in said district in the manner and amount set forth in the proposed Distribution of Assessment of the Havelock Business Improvement District which is attached hereto and incorporated herein as Exhibit 1.

**REGULAR MEETING  
APRIL 24, 2017  
PAGE 360**

BE IT FURTHER RESOLVED that the City Clerk be and is hereby directed to record this resolution in the minutes of the City Council with the vote thereon by yeas and nays.

AND BE IT FURTHER RESOLVED that the City Council sit as Board of Equalization for the purpose of equalizing said assessments on the 1st day of May, 2017, at 3:00 p.m., and on the day of , 2017, at p.m., with adjournments from day to day until the work of equalizing said assessments shall be completed.

Introduced by Carl Eskridge

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

APPROVING THE ASSESSMENT RESOLUTION FOR NORTH 27TH STREET MAINTENANCE BUSINESS IMPROVEMENT DISTRICT AND ASSESSING THE COST AGAINST THE BENEFITTED PROPERTIES - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-90404

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

1. The cost of providing for the maintenance of certain public facilities in the North 27th Street Maintenance Business Improvement District including:
  - a. Litter and refuse removal from sidewalks, planting areas, and beautification areas within the public right-of-way;
  - b. Care and maintenance, including replacement, of all landscaping, including watering, fertilizing, weeding, pruning, spraying, and removal and replacement of dead plantings;
  - c. Maintenance (excluding repair) of sidewalks;
  - d. General maintenance of median signs including repair and repainting; including the employment of or contracting for personnel, to provide for any service as may be necessary or proper to carry out the purposes of the Business Improvements District Act and cost incidental thereto, be and the same is hereby assessed upon the property in said district described in the proposed Distribution of Assessment attached to this resolution, marked "Proposed Distribution of Assessment of the North 27th Street Maintenance Improvement District" and made a part hereof;
2. The cost of said activities is the sum of \$5,616.55.
3. The property set forth in the proposed Distribution of Assessment is specially benefitted by such activities and improvement.
4. Each piece and parcel of property described is specially benefitted in the amount set forth therein, and no property is taxed more than the special benefits accruing thereto by reason of said activities and improvements.
5. The cost of said activities and improvements is hereby apportioned and assessed upon the several pieces and parcels of property in said district in the manner and amount set forth in the proposed Distribution of Assessment of the North 27th Street Maintenance Improvement District which is attached hereto and incorporated herein as Exhibit 1.

BE IT FURTHER RESOLVED that the City Clerk be and is hereby directed to record this resolution in the minutes of the City Council with the vote thereon by yeas and nays.

AND BE IT FURTHER RESOLVED that the City Council sit as Board of Equalization for the purpose of equalizing said assessments on the 1st day of May, 2017, at 3:00 p.m., and on the \_\_\_\_ day of \_\_\_\_\_, 2017, at \_\_\_\_\_m., with adjournments from day to day until the work of equalizing said assessments shall be completed.

Introduced by Carl Eskridge

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

APPROVING THE ASSESSMENT RESOLUTION FOR SOUTH STREET BUSINESS IMPROVEMENT DISTRICT AND ASSESSING THE COST AGAINST THE BENEFITTED PROPERTIES - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-90405

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

1. The cost of providing for the maintenance of certain public facilities in the South Street Business Improvement District including:
  - a. Maintenance of the irrigation system including Spring start-up and Fall shut-off;
  - b. Removal of litter from sidewalks, median planting beds, planting areas in the South Street right-of-way and the 14th Street plaza area;
  - c. Removal of trash from the 14th Street plaza area trash receptacles;
  - d. Replacement, as needed, of street furniture, planters, ornamental lights and trash receptacles;
  - e. Care and maintenance of all landscaping, including watering, fertilizing, weeding, pruning, spraying, mulching and removal and replacement of dead plants and shrubs and trees; including the employment of or contracting for personnel, to provide for any service as may be necessary or proper to carry out the purposes of the Business Improvements District Act and cost incidental thereto, be and the same is hereby assessed upon the property in said district described in the proposed Distribution of Assessment attached to this resolution, marked "Proposed Distribution of Assessment of the South Street Business Improvement District" and made a part hereof;
2. The cost of said activities is the sum of \$13,732.57.
3. The property set forth in the proposed Distribution of Assessment is specially benefitted by such activities and improvement.

4. Each piece and parcel of property described is specially benefitted in the amount set forth therein, and no property is taxed more than the special benefits accruing thereto by reason of said activities and improvements.

5. The cost of said activities and improvements is hereby apportioned and assessed upon the several pieces and parcels of property in said district in the manner and amount set forth in the proposed Distribution of Assessment of the South Street Business Improvement District which is attached hereto and incorporated herein as Exhibit 1.

BE IT FURTHER RESOLVED that the City Clerk be and is hereby directed to record this resolution in the minutes of the City Council with the vote thereon by yeas and nays.

AND BE IT FURTHER RESOLVED that the City Council sit as Board of Equalization for the purpose of equalizing said assessments on the 1<sup>st</sup> day of May, 2017, at 3:00 p.m., and on the \_\_\_\_ day of \_\_\_\_\_, 2017, at \_\_\_\_\_ m., with adjournments from day to day until the work of equalizing said assessments shall be completed.

Introduced by Carl Eskridge

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

APPROVING THE ASSESSMENT RESOLUTION FOR UNIVERSITY PLACE MAINTENANCE BUSINESS IMPROVEMENT DISTRICT AND ASSESSING THE COST AGAINST THE BENEFITTED PROPERTIES - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-90406 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska, that:

1. The cost of providing for the maintenance of certain public facilities in the University Place Maintenance Business Improvement District including:

a. Litter and refuse removal from sidewalks, planting areas, and beautification areas within the public right-of-way;

b. Care and maintenance, including replacement, of all landscaping, including watering, fertilizing, weeding, pruning, spraying, and removal and replacement of dead plantings;

c. Maintenance (excluding repair) of sidewalks;

d. General maintenance of median signs including repair and repainting;

including the employment of or contracting for personnel, to provide for any service as may be necessary or proper to carry out the purposes of the Business Improvements District Act and cost incidental thereto, be and the same is hereby assessed upon the property in said district described in the proposed Distribution of Assessment attached to this resolution, marked "Proposed Distribution of Assessment of the University Place Maintenance Improvement District" and made a part hereof;

2. The cost of said activities is the sum of \$16,037.54.

3. The property set forth in the proposed Distribution of Assessment is specially benefitted by such activities and improvement.

4. Each piece and parcel of property described is specially benefitted in the amount set forth therein, and no property is taxed more than the special benefits accruing thereto by reason of said activities and improvements.

5. The cost of said activities and improvements is hereby apportioned and assessed upon the several pieces and parcels of property in said district in the manner and amount set forth in the proposed Distribution of Assessment of the University Place Maintenance Improvement District which is attached hereto and incorporated herein as Exhibit 1.

BE IT FURTHER RESOLVED that the City Clerk be and is hereby directed to record this resolution in the minutes of the City Council with the vote thereon by yeas and nays.

AND BE IT FURTHER RESOLVED that the City Council sit as Board of Equalization for the purpose of equalizing said assessments on the 1<sup>st</sup> day of May, 2017, at 3:00 p.m., and on the \_\_\_\_ day of \_\_\_\_\_, 2017, at \_\_\_\_\_ m., with adjournments from day to day until the work of equalizing said assessments shall be completed.

Introduced by Carl Eskridge

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

APPROVING THE ASSESSMENT RESOLUTION FOR WEST O STREET MAINTENANCE BUSINESS IMPROVEMENT DISTRICT AND ASSESSING THE COST AGAINST THE BENEFITTED PROPERTIES - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-90407 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska, that:

1. The cost of providing for the maintenance, repair and reconstruction of public improvements and facilities in the West O Street Maintenance Business Improvement District including:

a. Litter pick up from the sidewalks, planting areas, and beautification areas;

b. Empty trash receptacles;

c. Care and maintenance of all shrubbery, buffalo grass, and other plantings, which maintenance shall include mowing, watering, fertilizing, weeding, pruning, spraying, and removal and replacement of dead plantings;

d. Paint and maintain ornamental light poles;

e. Maintain and replace historical signs; and

**REGULAR MEETING  
APRIL 24, 2017  
PAGE 362**

f. Snow removal from the 3<sup>rd</sup> & O Street Plaza parking lot if over 6 inches in depth, including the employment of or contracting for personnel, to provide for any service as may be necessary or proper to carry out the purposes of the Business Improvements District Act and cost incidental thereto, be and the same is hereby assessed upon the property in said district described in the proposed Distribution of Assessment attached to this resolution, marked "Proposed Distribution of Assessment of the West O Street Maintenance Business Improvement District" and made a part hereof;

2. The cost of said activities is the sum of \$7,000.00.

3. The property set forth in the proposed Distribution of Assessment is specially benefitted by such activities and improvement.

4. Each piece and parcel of property described is specially benefitted in the amount set forth therein, and no property is taxed more than the special benefits accruing thereto by reason of said activities and improvements.

5. The cost of said activities and improvements is hereby apportioned and assessed upon the several pieces and parcels of property in said district in the manner and amount set forth in the proposed Distribution of Assessment of the West O Street Maintenance Business Improvement District which is attached hereto and incorporated herein as Exhibit 1.

BE IT FURTHER RESOLVED that the City Clerk be and is hereby directed to record this resolution in the minutes of the City Council with the vote thereon by yeas and nays.

AND BE IT FURTHER RESOLVED that the City Council sit as Board of Equalization for the purpose of equalizing said assessments on the 1<sup>st</sup> day of May, 2017, at 3:00 p.m., and on the \_\_\_\_\_ day of \_\_\_\_\_, 2017, at \_\_\_\_\_ m., with adjournments from day to day until the work of equalizing said assessments shall be completed.

Introduced by Carl Eskridge

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

CLERK'S LETTER AND MAYOR'S APPROVAL OF ORDINANCE #20477 PASSED BY CITY COUNCIL ON APRIL 10, 2017 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(27-1)**

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTIONS AND ORDINANCE #20478 TO #20480 PASSED BY CITY COUNCIL ON APRIL 10, 2017 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(27-1)**

LINCOLN ELECTRIC SYSTEMS FINANCIAL & OPERATING STATEMENT FOR FEBRUARY, 2017 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(40)**

BLACK HILLS ENERGY ANNUAL REPORT FOR 2016 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(16-1)**

**PETITIONS & COMMUNICATIONS**

SETTING THE HEARING DATE OF MONDAY, MAY 8, 2017 AT 3:00 P.M. ON THE APPLICATION OF HACIENDA REAL II LLC DBA HACIENDA REAL II FOR A CLASS I LIQUOR LICENSE AT 4811 NW 1<sup>ST</sup> STREET - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-90408 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, May 8, 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 Hacienda Real II LLC dba Hacienda Real II for a Class I Liquor License at 4811 NW 1<sup>ST</sup> Street.

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

SETTING THE HEARING DATE OF MONDAY, MAY 8, 2017 AT 3:00 P.M. ON THE APPLICATION OF GNS CORPORATION DBA DISCOUNT CITY FOR A CLASS C LIQUOR LICENSE AT 5560 S 48<sup>TH</sup> STREET, SUITE 6- CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-90409 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, May 8, 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 GNS Corporation dba Discount City for a Class C Liquor License at 5560 S 48<sup>th</sup> Street, Suite 6.

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

SETTING THE HEARING DATE OF MONDAY, MAY 1, 2017 AT 3 P.M. ON THE MANAGER

APPLICATION OF MARY M. BAILEY FOR KWIK SHOP, INC. DBA KWIK SHOP: #680 AT 2805 1441 N COTNER BLVD, # 650 AT 5600 HOLDREGE STREET, #646 AT 3301 HOLDREGE STREET, #642 AT 3939 A STREET, #641 AT 2811 N 48<sup>TH</sup> STREET, #637 AT 2710 W STREET, #635 AT 2330 NORTH FIRST STREET, #634 AT 2940 NORTH 14<sup>TH</sup> STREET, #632 AT 3602 TOUZALIN, #619 AT 2302 CORNHUSKER HYW, #618 AT 4750 CALVERT STREET, #662 AT 2040 SOUTH 56<sup>TH</sup> STREET, #663 AT 4400 CORNHUSKER HYW, #681 AT 4400 O STREET - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-90410 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 Mary M. Bailey for Kwik Shop Inc dba Kwik Shop: #680 at 2805 1441 N Cotner Blvd, # 650 at 5600 Holdrege Street, #646 at 3301 Holdrege Street, #642 at 3939 A Street, #641 at 2811 n 48<sup>th</sup> Street, #637 at 2710 W Street, #635 at 2330 North First Street, #634 at 2940 North 14<sup>th</sup> Street, #632 at 3602 Touzalin, #619 at 2302 Cornhusker Hyw, #618 at 4750 Calvert Street, #662 at 2040 South 56<sup>th</sup> Street, #663 at 4400 Cornhusker Hyw, #681 at 4400 O Street.

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

SETTING THE HEARING DATE OF MONDAY, MAY 8, 2017 AT 3 P.M. ON THE MANAGER

APPLICATION OF JASON J. SCHMICK FOR SCHMICK'S MARKET, INC. DBA SCHMICK'S MARKET AT 2727 NORTH 11<sup>TH</sup> STREET AND SCHMICK'S MARKET AT 1340 WEST O STREET - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-90411 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 Jason J. Schmick for Schmick's Market, Inc. dba Schmick's Market at 2727 North 11<sup>th</sup> Street and Schmick's Market at 1340 West O Street.

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

**THE FOLLOWING WERE REFERRED TO THE PLANNING DEPT:**

Change of Zone No. 17006 - Requested by REGA Engineering, Inc., from AGR (Agricultural Residential District) to R-3 (Residential District), on property generally located at SW 27th and West A Streets.

Special Permit No. 04054B - Requested by REGA Engineering, adding approximately 1.03 acres, more or less, into the boundary associated with 7 new lots along with other minor revisions to the lot layout, on property generally located at SW 27th and West A Streets.

Special Permit No. 450Q - Requested by Erickson Sullivan Architects, to expand Special Permit No. 450P to include additional properties within the existing Special Permit and thereby allow parking on these sites, on property generally located at 5401 and 5445 South Street, and 2121 South 56th Street.

Text Amendment No. 17007 - Requested by Erickson Sullivan Architects, amending Sections 27.26.090 and 27.72.130(e) of the Lincoln Municipal Code, by repealing Section 27.26.090 regarding the location of buildings, structures, parking, and access drives and the preservation of required open space in the O-2 Suburban Office District whenever the O-2 district extends further from the street than any abutting B-1, B-3, B-4, H-2, H-3, or I-1 district; amending Section 27.72.130 to delete an identical provision in Subsection (e); and repealing Section 27.72.130 (e) as hitherto existing.

**LIQUOR RESOLUTIONS**

APPLICATION OF ZIPLINE BREWING CO. FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 86 FEET BY 52 FEET AT ZIPLINE BEER HALL AT 5740 HIDCOTE DRIVE ON MAY 17, 2017 BETWEEN NOON AND 10:00 P.M. - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption for approval:

A-90412 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 Zipline Brewing Co. for a special designated license to cover an outdoor area measuring

**REGULAR MEETING  
APRIL 24, 2017  
PAGE 364**

approximately 86 feet by 52 feet at Zipline Beer Hall at 5740 Hidcote Drive, Lincoln, Nebraska, on May 17, 2017, between the hours of noon and 10:00 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Roy Christensen

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

**PUBLIC HEARING - RESOLUTIONS - NONE.**

**PUBLIC HEARING ORDINANCES - 2<sup>ND</sup> READING & RELATED RESOLUTIONS**

APPROVING THE 11<sup>TH</sup> 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 11<sup>TH</sup> STREET AND 211 NORTH 11<sup>TH</sup> 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 11<sup>TH</sup> 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 11<sup>TH</sup> 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 11<sup>th</sup> and P & Lincoln Commercial Club Redevelopment Project, the second 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) - PRIOR to reading:

FELLERS Moved to continue Public Hearing for 1 week to 05/01/17 with Action on 5/08/17.

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

CLERK Read an ordinance, introduced by 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 second 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 second time.

**ORDINANCES - 3<sup>RD</sup> READING & RELATED RESOLUTIONS**

ANNEXATION 17003 – AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 7.19 ACRES OF PROPERTY GENERALLY LOCATED AT SOUTH 80<sup>TH</sup> 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 third time.

RAYBOULD Moved to pass ordinance as read.

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

The ordinance, being numbered #20483, is recorded in Ordinance Book 32.



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 80<sup>TH</sup> 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 third time.

RAYBOULD Moved to pass ordinance as read.

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

The ordinance, being numbered #20484, is recorded in Ordinance Book 32.

#### RESOLUTIONS - 1<sup>ST</sup> READING

REAPPOINTING MARTIN KASL AND R.J. LIPPERT TO THE FIRE SPRINKLER & CHEMICAL EXAMINING BOARD FOR TERMS EXPIRING NOVEMBER 24, 2019. (*CONSENT*)

APPOINTING SHANE MEININGER TO THE FIRE SPRINKLER & CHEMICAL EXAMINING BOARD FOR A TERM EXPIRING NOVEMBER 24, 2019. (*CONSENT*)

APPROVING ENDGAME OPERATING GROUP LLC DBA BIG RED RESTAURANT & SPORTS BAR AS A KENO SATELLITE AT 8933 ANDERMATT DRIVE.

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF APRIL 1-15, 2017.

APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF LINCOLN AND LANCASTER COUNTY ON BEHALF OF LANCASTER COUNTY CORRECTIONS COMMUNITY SERVICE PROGRAM TO CONDUCT ROADSIDE LITTER PICKUP ALONG COUNTY ROADS BY INMATES AND TO PROVIDE SUPERVISION OF THE INMATES FOR A TERM OF MAY 1, 2017 THROUGH DECEMBER 31, 2017.

APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE BOARD OF REGENTS OF THE UNIVERSITY OF NEBRASKA TO PROVIDE, MAINTAIN, AND UPDATE ONLINE FOOD HANDLER TRAINING PROGRAMS AS FEDERAL, STATE, AND LOCAL LAWS, REGULATIONS, AND GUIDELINES CHANGE.

#### ORDINANCES - 1<sup>ST</sup> READING & RELATED RESOLUTIONS (AS REQUIRED)

CREATING ALLEY RE-PAVING DISTRICT NO. 51 FROM 18<sup>TH</sup> STREET TO ANTELOPE VALLEY PARKWAY BETWEEN O AND N STREETS - CLERK read an ordinance, introduced by Carl Eskridge, an ordinance creating Alley Repaving District No. 51, defining the limits thereof, establishing the width of the roadway to be paved and the width of the grading to be done, providing for the curbing, guttering, and laying of sidewalks, providing for the payment of the cost thereof, designating the property to be benefitted, providing for the acquisition of easements and additional right-of-way, if necessary, and repealing all ordinances or parts of ordinances in conflict herewith, the first time.

TEXT AMENDMENT 17003 – AMENDING CHAPTER 27.67 OF THE LINCOLN MUNICIPAL CODE RELATING TO PARKING BY AMENDING SECTION 27.67.030 TO ALLOW PARKING IN THE FRONT YARD IN THE R-4, R-5, R-6, AND R-7 ZONING DISTRICTS WHEN THE PROPERTY IS USED FOR SINGLE FAMILY DWELLINGS, TWO FAMILY DWELLINGS, AND TOWNHOUSES AND TO ALLOW REQUIRED PARKING SPACES TO BE STACKED, AND REPEALING SECTION 27.67.030 AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Carl Eskridge, an ordinance amending Chapter 27.67 of the Lincoln Municipal Code relating to Parking by amending Section 27.67.030 to allow parking in the front yard in the R-5, R-6, and R-7 zoning districts when the property is used for single family dwellings, two family dwellings, and townhouses and to allow required parking spaces to be stacked from front-to-back one vehicle deep, and repealing Section 27.67.030 as hitherto existing, the first time.

APPROVING A REAL ESTATE SALES AGREEMENT BETWEEN THE CITY OF LINCOLN AND KIRK HAVRANEK FOR THE SALE OF CITY OWNED PROPERTIES GENERALLY LOCATED AT 5122, 5132, AND 5142 BETTY LOU BOULEVARD - CLERK read an ordinance, introduced by Carl Eskridge, an ordinance approving a Real Estate Sales Agreement between the City of Lincoln and Kirk Havranek authorizing the sale of City owned properties generally located at 5122, 5132, and 5142 Betty Lou Boulevard, Lincoln, Nebraska, the first time.

APPROVING THE NATURE'S VARIETY PHASE ONE REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF LINCOLN AND NATURE'S VARIETY, INC. RELATING TO THE REDEVELOPMENT OF LOTS 4-6, BLOCK 1, EDM INDUSTRIAL CENTER ADDITION, LINCOLN, LANCASTER COUNTY, NEBRASKA,

**REGULAR MEETING  
APRIL 24, 2017  
PAGE 366**

GENERALLY LOCATED AT 311, 321, AND 333 SOUTHWEST 32<sup>ND</sup> STREET, FOR THE CONSTRUCTION OF AN APPROXIMATELY 24,000 SQUARE FOOT FREEZE-DRYING FACILITY. (RELATED ITEMS: 17R-112, 17R-111, 17-60) (ACTION DATE: 5/8/17)

AMENDING THE FY 16/17 CIP TO AUTHORIZE AND APPROPRIATE \$275,000.00 IN TIF FUNDS FOR THE NATURE'S VARIETY PHASE ONE PROJECT. (RELATED ITEMS: 17R-112, 17R-111, 17-60) (ACTION DATE: 5/8/17)

AUTHORIZING THE ISSUANCE OF TAX ALLOCATION BONDS FOR THE NATURE'S VARIETY PHASE ONE PROJECT. (RELATED ITEMS: 17R-112, 17R-111, 17-60) - CLERK read an ordinance, introduced by Carl Eskridge, an ordinance authorizing and providing for the issuance of City of Lincoln, Nebraska tax allocation bonds, notes or other obligations, in one or more taxable or tax-exempt series, in an aggregate principal amount not to exceed \$275,000.00 for the purpose of (1) paying the costs of acquiring, purchasing, constructing, reconstructing, improving, extending, rehabilitating, installing, equipping, furnishing and completing certain property and improvements within the City's Nature's Variety Redevelopment Project Area, and (2) paying the costs of issuance thereof; prescribing the form and certain details of the bonds, notes or other obligations; pledging certain tax revenue and other revenue to the payment of the principal of and interest on the bonds, notes or other obligations as the same become due; limiting payment of the bonds, notes or other obligations to such tax revenues; creating and establishing funds and accounts; delegating, authorizing and directing the Finance Director to exercise his independent discretion and judgment in determining and finalizing certain terms and provisions of the bonds, notes or other obligations not specified herein; taking other actions and making other covenants and agreements in connection with the foregoing; and related matters, the first time.

**OPEN MICROPHONE - None.**

**ADJOURNMENT**

**6:30 P.M.**

CAMP Moved to adjourn the City Council Meeting of April 24, 2017.  
Seconded by Fellers & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

---

Teresa J. Meier, City Clerk

---

Rhonda M. Bice, Office Specialist