

**THE MINUTES OF THE CITY COUNCIL MEETING HELD  
MONDAY, DECEMBER 18, 2017 AT 5:30 P.M.**

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

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

**READING OF THE MINUTES**

SHOBE Having been appointed to read the minutes of the City Council Proceedings of December 11, 2017, reported having done so, found same correct.

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

**PUBLIC HEARING**

APPOINTING ANDY HUNZEKER AND DR. LUCAS SABALKA TO THE LINCOLN ELECTRIC SYSTEM ADMINISTRATIVE BOARD FOR TERMS EXPIRING DECEMBER 31, 2020 - Lucas Sabalka, 3060 Stratford Avenue, applicant, came forward and requested approval. Discussion followed.

Andy Hunzeker, 3611 Culpepper Court, came forward and requested approval.

This matter was taken under advisement.

APPOINTING DOUG GIBBS AND JANI MARTINEZ TO THE CHARTER REVISION COMMISSION FOR TERMS EXPIRING JULY 15, 2021 - Doug Gibbs, 1411 N. 38<sup>th</sup> Street, applicant, came forward and requested approval.

Jani Martinez, 1661 SW Lacey Lane, applicant, came forward and requested approval.

This matter was taken under advisement.

APPLICATION OF OVATIONS FOOD SERVICES, L.P. DBA SPECTRA FOOD SERVICES & HOSPITALITY FOR A CLASS I LIQUOR LICENSE AND A CLASS E ENTERTAINMENT DISTRICT LIQUOR LICENSE AT 350 CANOPY STREET, SUITE #120. (12/11/17 - PUBLIC HEARING & ACTION CONT'D 1 WEEK TO 12/18/17);

MANAGER APPLICATION OF BRIAN T. KRAJEWSKI FOR OVATIONS FOOD SERVICES, L.P. DBA SPECTRA FOOD SERVICES & HOSPITALITY AT 350 CANOPY STREET, SUITE #120. (12/11/17 - PUBLIC HEARING & ACTION CONT'D 1 WEEK TO 12/18/17) - Teresa Meier, City Clerk, advised the applicant put in a request to withdraw their application.

Cyndi Lamm, Council Member, inquired if the request to withdraw was regarding both items on the Agenda.

Ms. Meier confirmed that to be correct.

This matter was taken under advisement.

APPLICATION OF FRIENDS FAMILY, LLC DBA HIRO 88/LOCAL/5168 BREWERY FOR CLASS LK AND CLASS CG LIQUOR LICENSES AT 5730 HIDCOTE DRIVE;

MANAGER APPLICATION OF CHADWICK FISHER FOR FRIENDS FAMILY, LLC DBA HIRO 88/LOCAL/5168 BREWERY AT 5730 HIDCOTE DRIVE - Chadwick Fisher, 7826 Broadview Drive, applicant, came forward to take the oath and requested approval.

Charles Yin, 1221 S. 11<sup>th</sup> Street, applicant, came forward to take the oath and requested approval.

This matter was taken under advisement

APPROVING A MANAGEMENT AGREEMENT BETWEEN THE CITY OF LINCOLN ON BEHALF OF THE PARKS AND RECREATION DEPARTMENT AND SCOTT CARLSON FOR THE MANAGEMENT OF THE HOLMES GOLF CLUBHOUSE FOR A FOUR YEAR PERIOD - Lynn Johnson, Parks and Recreation Director, came forward and shared this is a four year Management Agreement for the Holmes Golf Clubhouse. Holmes Golf Clubhouse is under a different management situation than the other three 18 hole clubhouses and because of IRS regulations there is a requirement that all revenue from the operations come to the City. Therefore, the City will also have all the expenses associated with the operations of that clubhouse and that club is operated through a Management Agreement as opposed to an Operational Agreement that is used for the other three golf courses. Mr. Carlson was identified through an RFP process for operation of Clubhouse since 2015. Mr. Carlson has been involved and managing the clubhouse for about a year and a half. This agreement will extend to January, 2022, there is a provision in the Agreement that allows for a 1.5% increase in compensation annual and there is also a provision that states Mr. Carlson is eligible for a one time payment annually of 1.5% if the compensation if he meets the annual performance goals. Discussion followed.

Leirion Gaylor Baird, Council Member, asked about the revenue from alcohol sales covering the monthly fixed management fee and asked the likelihood of that happening.

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Mr. Johnson explained when this contract was initially drafted they had made the decision that the City could secure the liquor license for the facility and they knew that all the revenue from the alcohol sales would come to the City. Last year alcohol sales were just slightly over \$100,000 and the annual compensation is around \$66,600. The alcohol revenue more than covers the compensation.

This matter was taken under advisement.

APPROVING AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE LOWER PLATTE SOUTH NATURAL RESOURCES DISTRICT FOR THE PRAIRIE CORRIDOR ON HAINES BRANCH PROJECT. (RELATED ITEMS: 17R-297, 17R-298, 17R-299);

APPROVING A COOPERATION AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE NATIONAL AUDUBON SOCIETY THROUGH ITS SPRING CREEK PRAIRIE AUDUBON CENTER OFFICE FOR THE PRAIRIE CORRIDOR ON HAINES BRANCH PROJECT. (RELATED ITEMS: 17R-297, 17R-298, 17R-299);

APPROVING THE TRANSFER OF FUNDS TO THE LINCOLN PARKS & RECREATION FOUNDATION FOR THE PRAIRIE CORRIDOR ON HAINES BRANCH ENDOWMENT. (RELATED ITEMS: 17R-297, 17R-298, 17R-299) - Michael Foresberg, 2628 High Street, came forward and shared the Prairie Corridor Project that they are creating will be a prairie passage way that will connect Audubon Spring Creek Prairie and Pioneers Park Nature Center.

Heather Keele, 2540 Emily Lane, President of Board of Directors for the Lincoln Parks Foundation, came forward and shared they are a non profit organization who work in partnership with Parks & Rec and over the past 2 decades they have fostered public and private partnerships to create and improve many public spaces. Private partners have assisted with grant applications providing matching funds and assisting with receiving grant and donor funds as well.

Nicole Fleck-Tooze, Parks and Recreation, came forward and shared the Comprehensive Plan has included the concept of the Salt Valley Greenway and connecting corridors for a while. This project back in 2010 and 2011 when the community undertook the major update to the Comprehensive 2040 Plan, this included a clear plan and strategies for the development of the Greenways and the Prairie Corridor. These included developing a strategic plan pursuing funding opportunities, coordinating with trails planning, developing public and private partnerships and acquiring land and easements. Today, they have over 20 partners working together on this project, including the Nebraska Environmental Trust, which has awarded the project two 3 year grants totaling over \$1.6 million since 2013. When other partner matching funds are added to the total, the City's annual \$40,000 capital commitment to the project has leveraged over \$3.8 million in grant and matching funds since the project started. The proposed Interlocal Agreement defines the roles of the City and the NRD for the future development of the project. The NRD is committed to splitting the annual costs with the City on an equal basis moving forward. The provisions for the acquisitions of land or easements are unchanged from the way they have been working on previously. The Agreement with the Spring Creek Prairie and Audubon Center is also proposed for 20 years. This will allow future cooperation for a Trail Agreement. Discussion followed.

Jon Camp, Council Member, asked about the fiscal impact on future budgets.

Ms. Fleck-Tooze explained that the City and the NRD are both committing \$40,000 annually as matching funds for the implementation of the project. On the operating side, the City's costs are primarily coordination costs, which are around \$100,000, and that cost will be split with NRD. There are 3 areas identified for the operational costs: coordination oversight, trail maintenance and land management. Discussion followed.

Leirion Gaylor Baird, Council Member, asked to what extent is the City obligating themselves to futures expenses and when will Council have another chance to weigh in.

Ms. Fleck-Tooze said the Biennial Budget will provide the opportunity for Council to be able to weigh in and they will also provide an annual report of status and that can also be what is examined during the budget season. Discussion followed.

Cyndi Lamm, Council Member, asked if the City has purchased easements along the corridor.

Ms. Fleck-Tooze stated that there are properties along the corridor that are part of the capitol program that were purchased because they became available and there was no long term agreement in place with the NRD.

Ms. Lamm asked about the amount of land that is the City's jurisdiction.

Ms. Fleck-Tooze said almost 290 acres are protected by the City of Lincoln, a little over 300 acres are protected by the district, 50 acres are protected by Spring Creek, and 180 acres that are under some type of contract with the City except for about 14 acres that are in escrow to be donated to the NRD.

Paul Zillig, General Manager of the Lower Platte South NRD, 7931 Stockwell Street, came forward in support and stated the NRD is pleased with the progress that has been made over the past 3 years. The NRD agrees that a long term agreement is needed to show their commitment. The NRD Board is also in favor with splitting the costs and it was approved unanimously. Discussion followed.

Carl Eskridge, Council Member, inquired about flood control for the area.

Mr. Zillig confirmed that there is not any flood control as part of this project. Discussion followed.

Glynnis Collins, Director of Spring Creek Prairie Audubon Center, 2760 Rathbone Road, came forward in favor. Discussion followed.

Lynn Johnson, Director of Parks & Recreation, came forward and shared that this project will be iconic and will be built year by year. Both the City and the NRD will have the opportunity to work on the budget on an annual basis and weigh that against other priorities in the budget. Discussion followed.

Ms. Lamm inquired about the endowment component.

Mr. Johnson explained that the Lincoln Parks Foundation started an endowment fund and today there is about \$12,000 and the proposal is to add the \$400,000 that was identified in the budget for endowment purposes. The plan for this project is as land is acquired or as the trail is developed the endowment will continue to grow. The ratio to date to City investment to the total project is about 10 to 1. The recommendation is to recognize those funds that have been contributed to the project and then apply the endowment funds. Discussion followed.

Ann Ringlen, 3442 M Street, came forward in favor.

Glenn Johnson, 7229 S. 94<sup>th</sup> Court, came forward in favor.

Doug Ganes, 4030 S. 31<sup>st</sup> street, came forward in favor.

Richard Schmeling, 4610 Van Dorn, came forward in favor.

Dave Titterington, 1340 N. 38<sup>th</sup> Street, came forward in favor.

Rosina Paline, 1850 Dakota Street, came forward in favor.

Abby Stenek, Lincoln Independent Association, 620 N. 48<sup>th</sup> Street, came forward in opposition.

This matter was taken under advisement.

APPROVING A RESOLUTION IN SUPPORT OF LINCOLN ENVIRONMENTAL ACTION PLAN (LEAP) AS A MEANS TO ESTABLISH CONSENSUS IN MOVING FORWARD WITH CRITICAL INITIATIVES IN THE AREAS OF ENERGY, LAND USE, TRANSPORTATION, WASTE MANAGEMENT, AND WATER RESOURCES - Rick Hoppe, Mayor's Office, came forward and shared this proposed resolution will allow us to increase recycling, keep the water and air clean, preserve the natural resources and reduce emissions that harm the environment. This will provide strategies in environmental areas: water, waste, transportation, land use and energy. The City has been actively working on these goals for several years. Fifty percent of the community's electricity comes from renewable energy sources. City operations are creating energy from waste and a year-round hazardous facility has already been constructed. Green Light Lincoln is already using smart technology to move traffic more efficiently. The LEAP will allow us to integrate environmental policies into policies and budget plans. Discussion followed.

Frank Uhlarik, City's Compliance and Sustainability Administrator, came forward and said if this resolution passes this will not take away Councils ability to approve further capital improvement projects or operational expenses by the LEAP in the normal budget process. Discussion followed.

Cyndi Lamm, Council Member, asked to what degree does the LEAP follow other plans that have been instituted for sustainability.

Mr. Uhlarik explained many of the things being proposed in terms of energy efficiency and land use modifications, waste reduction and water conservation are all elements that will be seen in sustainability plans. In the planning process they have done a lot of bench marking with bigger cities, such as Denver, Kansas City and Sioux Falls.

Mr. Hoppe added that they did take certain ideas from bigger cities, but the action steps are unique to Lincoln to be able to follow the Comprehensive Plan and the long range Transportation Plan and the other activities they have been engaging in. Discussion followed.

Senator Anna Wishart for District 27, came forward in favor.

Richard Schmelling, 4610 Van Dorn, came forward in favor.

Chelsea Johnson, Deputy Director for the Nebraska League of Conservation Voters, 6515 Fairfax Avenue, came forward in support. Discussion followed.

Julie Diegle, Nebraska Recycling Council Director, no address given, came forward in favor.

Shelby Janke, 730 Marshall Avenue, came forward in favor.

Ann McCollister, Director of the Nebraska Community Energy Alliance, 2811 Cedar Avenue, came forward in favor.

Jim Johnson, Executive Director of the Nebraska Wildlife Federation, 8110 Regent Drive, came forward in favor.

Carolyn Butler, Nebraska Wildlife Federation, 621 Lakewood Drive, came forward in favor.

Jesse Starita, 3005 S. 19<sup>th</sup> Street, came forward in favor.

Marilyn McNabb, 1701 W. Rose Street, came forward in favor.

Ken Winston, 4021 Teri Lane, came forward in favor.

Jerry Cornett, President of the Old Cheney Road Farmers Market, 11928 Ira Street, came forward in favor.

Megan McGuffey, Lincoln-Lancaster County Food Policy Council, 1119 Rose Street, came forward in favor.

Edison McDonald, 6750 Ashbrook Drive, came forward with concerns on the proposed plan.

Ms. Lamm asked about the electric vehicle infrastructure.

Mr. Uhlarik confirmed Public Works currently has a cost savings vehicle that was purchased with grant assistance and they will continue to utilize that. They have noticed the cost saving from using this vehicle and are looking into purchasing another one. Discussion followed.

Leirion Gaylor Baird, Council Member, asked about the reduction in greenhouse gas emissions and the baseline measurements that are in place.

Mr. Uhlarik said the Health Department had their first emission inventory done on 2005 data that was performed in 2008 and you take tallies of vehicle miles traveled and energy uses. There are industrial processes that are calculated based on permitted facilities. Discussion followed.

This matter was taken under advisement.

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ACCEPTING AND APPROVING AN AMENDMENT OF LEASE AGREEMENT BETWEEN LINCOLN PARKS AND RECREATION DEPARTMENT AND LINCOLN PARKS AND RECREATION FOUNDATION TO LEASE APPROXIMATELY 272.25 SQUARE FEET OF SPACE AT 3140 N STREET, SUITE 301 FOR THE FOUNDATION'S OFFICE. (12/4/17 - INTRODUCTION DELAYED TO 12/11/17) - Lynn Johnson, Director of Parks & Recreation came forward and explained this solely to change the address in the agreement.

This matter was taken under advisement.

TEXT AMENDMENT 17017 – AMENDING CHAPTER 27.59 OF THE LINCOLN MUNICIPAL CODE RELATING TO AIRPORT ZONING BY AMENDING SECTION 27.59.070 TO UPDATE THE REFERENCE TO THE DIVISION OF AERONAUTICS OF THE STATE OF NEBRASKA DEPARTMENT OF TRANSPORTATION BASED ON A MERGER OF THE DEPARTMENTS EFFECTIVE JULY 1, 2017; ADOPTING A REVISED LINCOLN AIRPORT ZONING MAP; AND REPEALING SECTION 27.59.070 AS HITHERTO EXISTING - David Cary, Director of the Planning Department, came forward and shared this is a clean up item. This has become necessary due to some changes in runway end locations and elevations which changed the measurements with approach zones.

This matter was taken under advisement.

## **COUNCIL ACTION**

### **REPORTS OF CITY OFFICERS**

APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE CITY OF LINCOLN ON BEHALF OF THE LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT FOR NDHHS TO PROVIDE HEPATITIS C TESTING SUPPLIES - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-90809

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

That the attached Memorandum of Understanding between the Nebraska Department of Health & Human Services (NDHHS) and the City of Lincoln on behalf of the Lincoln-Lancaster County Health Department for NDHHS to provide Hepatitis C testing supplies, upon the terms and conditions set forth in said Memorandum of Understanding, 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 of said Memorandum of Understanding to Shavonna Lausterer, Lincoln-Lancaster County Health Department, for transmittal to and execution by the Nebraska Department of Health & Human Services.

Introduced by Carl Eskridge

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

APPOINTING ANDY HUNZEKER AND DR. LUCAS SABALKA TO THE LINCOLN ELECTRIC SYSTEM ADMINISTRATIVE BOARD FOR TERMS EXPIRING DECEMBER 31, 2020 - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-90810

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

That the appointments of Andy Hunzeker and Dr. Lucas Sabalka to the Lincoln Electric System Administrative Board, for terms expiring December 31, 2020, are hereby approved.

Introduced by Carl Eskridge

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

REAPPOINTING SARAH PEETZ TO THE LINCOLN ELECTRIC SYSTEM ADMINISTRATIVE BOARD FOR A TERM EXPIRING DECEMBER 31, 2020 - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-90811

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

That the reappointment of Sarah Peetz to the Lincoln Electric System Administrative Board, for a term expiring December 31, 2020, is hereby approved.

Introduced by Carl Eskridge

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

REAPPOINTING JONATHAN REHM, JANE MERLISS, AND RACHEL ZENG TO THE COMMISSION ON HUMAN RIGHTS FOR TERMS EXPIRING DECEMBER 31, 2020 - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-90812

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

That the reappointments of Jonathan Rehm, Jane Merliss, and Rachel Zeng to the Commission on Human Rights, for terms expiring December 31, 2020, are hereby approved.

Introduced by Carl Eskridge

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

APPOINTING DOUG GIBBS AND JANI MARTINEZ TO THE CHARTER REVISION COMMISSION FOR TERMS EXPIRING JULY 15, 2021 - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-90813 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointments of Doug Gibbs and Jani Martinez to the Charter Revision Commission, for terms expiring July 15, 2021, are hereby approved.

Introduced by Carl Eskridge

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

REAPPOINTING MIKE DONLAN, BRETT EBERT, AND STEVE GUITTAR TO THE CHARTER REVISION COMMISSION FOR TERMS EXPIRING JULY 15, 2020 - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-90814 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the reappointments of Mike Donlan, Brett Ebert, and Steve Guittar to the Charter Revision Commission, for terms expiring July 15, 2020, are hereby approved.

Introduced by Carl Eskridge

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

REAPPOINTING JOSE J. SOTO AND CLANCY WOOLMAN TO THE CHARTER REVISION COMMISSION FOR TERMS EXPIRING JULY 15, 2021 - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-90815 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the reappointments of Jose J. Soto and Clancy Woolman to the Charter Revision Commission, for terms expiring July 15, 2021, are hereby approved.

Introduced by Carl Eskridge

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

CLERK'S LETTER AND MAYOR'S APPROVAL OF ORDINANCES AND RESOLUTIONS PASSED BY COUNCIL ON DECEMBER 4, 2017 (WITH THE EXCEPTION OF RESOLUTIONS A-90796 AND A-90798 WHICH WERE SIGNED BY THE MAYOR ON DECEMBER 5, 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 A-90800 ADOPTED BY THE CITY COUNCIL ON DECEMBER 11, 2017 AND GIVEN TO MAYOR'S OFFICE ON DECEMBER 12, 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 ORDINANCES AND RESOLUTIONS PASSED BY COUNCIL ON DECEMBER 11, 2017 (WITH THE EXCEPTION OF RESOLUTION A-90800 WHICH WAS SIGNED BY THE MAYOR ON DECEMBER 12, 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 ALLO COMMUNICATIONS FOR THE PERIOD OF OCTOBER, 2017 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(41-2518B)**

REPORT FROM CITY TREASURER OF WINDSTREAM CABLE FRANCHISE QUARTERLY REMITTANCE FOR 2017 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(41-2518C)**

REPORT FROM CITY TREASURER OF FRANCHISE FEES FROM BLACK HILLS CORPORATION FOR THE MONTHS OF SEPTEMBER AND OCTOBER, 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 MONTH OF OCTOBER, 2017 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(20-02)**

#### PETITIONS & COMMUNICATIONS

SETTING THE HEARING DATE OF MONDAY, JANUARY 8, 2018 AT 3:00 P.M. ON THE APPLICATION OF SHAVASANA LLC DBA METHOD CYCLES & CRAFT HOUSE FOR A CLASS C LIQUOR LICENSE AT 416 S. 11<sup>TH</sup> STREET - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

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A-90816 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, January 8, 2018, 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 Shavasana LLC dba Method Cycles & Craft House for a Class C Liquor License at 416 S. 11<sup>th</sup> Street.

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

Introduced by Leirion Gaylor Baird

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

SETTING THE HEARING DATE OF MONDAY, JANUARY 8, 2018 AT 3:00 P.M. ON THE APPLICATION OF 13 LO ENTERPRISES LLC DBA LUCKIE'S LOUNGE & GRILL FOR A CLASS C LIQUOR LICENSE AT 1101 W. BOND STREET - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-90817 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, January 8, 2018, 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 13 Lo Enterprises LLC dba Luckie's Lounge & Grill for a Class C Liquor License at 1101 W. Bond Street.

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

Introduced by Leirion Gaylor Baird

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

SETTING THE HEARING DATE OF MONDAY, JANUARY 8, 2018 AT 3:00 P.M. ON THE MANAGER APPLICATION OF CHRISTOPHER L. COWAN FOR CAREY JOHNSON OIL CO. DBA EZ GO #80 AT 2555 O ST. AND EZ GO #81 AT 8411 WINDMILL DRIVE - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-90818 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, January 8, 2018, 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 Christopher L. Cowan for Carey Johnson Oil Co. dba EZ Go #80 at 2555 O St. and EZ Go #81 at 8411 Windmill Drive.

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

Introduced by Leirion Gaylor Baird

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

SETTING THE HEARING DATE OF MONDAY, JANUARY 8, 2018 AT 3:00 P.M. ON THE MANAGER APPLICATION OF CHRISTINA MACCRACKEN FOR BLINK RESTAURANTS INC DBA IRONHORSE BAR & EVENT ROOM AT 728 Q STREET - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-90819 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, January 8, 2018, 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 Christina MacCracken for Blink Restaurants Inc dba Ironhorse Bar & Event Room at 728 Q Street.

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

Introduced by Leirion Gaylor Baird

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

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

Change of Zone No. 17036 – Requested by Olsson Associates, from AG (Agricultural District) to R 3 (Residential District), on property generally located at S. 33rd Street and Wilderness Hills Boulevard.

**LIQUOR RESOLUTIONS**

APPLICATION OF OVATIONS FOOD SERVICES, L.P. DBA SPECTRA FOOD SERVICES & HOSPITALITY FOR A CLASS I LIQUOR LICENSE AND A CLASS E ENTERTAINMENT DISTRICT LIQUOR LICENSE AT 350 CANOPY STREET, SUITE #120. (12/11/17 - PUBLIC HEARING & ACTION CONT'D 1 WEEK TO 12/18/17) - PRIOR to reading:

RAYBOULD Moved to withdraw the application.

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

The resolution, having been **WITHDRAWN**, was assigned the File #38-4687 & was placed on file in the Office of the City Clerk.

MANAGER APPLICATION OF BRIAN T. KRAJEWSKI FOR OVATIONS FOOD SERVICES, L.P. DBA SPECTRA FOOD SERVICES & HOSPITALITY AT 350 CANOPY STREET, SUITE #120. (12/11/17 - PUBLIC HEARING & ACTION CONT'D 1 WEEK TO 12/18/17) - PRIOR to reading:

RAYBOULD Moved to withdraw the application.

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

The resolution, having been **WITHDRAWN**, was assigned the File #**38-4688** & was placed on file in the Office of the City Clerk.

APPLICATION OF FRIENDS FAMILY, LLC DBA HIRO 88/LOCAL/5168 BREWERY FOR CLASS LK AND CLASS CG LIQUOR LICENSES AT 5730 HIDCOTE DRIVE - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-90820 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 Friends Family, LLC dba Hiro 88/Local/5168 Brewery for a Class "CG" and "LK" liquor license at 5730 Hidcote Drive, Lincoln, Nebraska, for the license period ending October 31, 2018, 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, Gaylor Baird, Lamm, Raybould, Shobe; NAYS: None.

MANAGER APPLICATION OF CHADWICK FISHER FOR FRIENDS FAMILY, LLC DBA HIRO 88/LOCAL/5168 BREWERY AT 5730 HIDCOTE DRIVE - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-90821 WHEREAS, Friends Family, LLC dba Hiro 88/Local/5168 Brewery located at 5730 Hidcote Drive, Lincoln, Nebraska has been approved for a Retail Class "CG" and "LK" liquor license, and now requests that Chadwick Fisher be named manager;

WHEREAS, Chadwick Fisher 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 Chadwick Fisher 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, Gaylor Baird, Lamm, Raybould, Shobe; NAYS: None.

### PUBLIC HEARING - RESOLUTIONS

APPROVING A MANAGEMENT AGREEMENT BETWEEN THE CITY OF LINCOLN ON BEHALF OF THE PARKS AND RECREATION DEPARTMENT AND SCOTT CARLSON FOR THE MANAGEMENT OF THE HOLMES GOLF CLUBHOUSE FOR A FOUR YEAR PERIOD - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-90822 WHEREAS, the City of Lincoln owns and holds Holmes Golf Course and operates a municipal golf course and clubhouse therein for the benefit of the citizens of the City of Lincoln; and

WHEREAS, the City desires the services of Scott Carlson, a Class "A" PGA Golf Professional, to serve as golf professional and Manager for Holmes Golf Course and Clubhouse.

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

1. The Management Agreement attached hereto between the City of Lincoln and Scott Carlson for the management of Holmes Golf Course and Clubhouse for a four year period is hereby accepted and approved upon the terms and conditions as set out in the Agreement and the Mayor is authorized to execute said Agreement on behalf of the City.

2. The City Clerk is directed to return one fully executed copy of the Agreement to the Parks & Recreation Department for transmittal to Scott Carlson.

Introduced by Carl Eskridge

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

APPROVING AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE LOWER PLATTE SOUTH NATURAL RESOURCES DISTRICT FOR THE PRAIRIE CORRIDOR ON HAINES BRANCH PROJECT. (RELATED ITEMS: 17R-297, 17R-298, 17R-299) - PRIOR to reading:

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**RAYBOULD** Moved to amend Bill No. 17R-298 by accepting the substitute Attachment "A" attached hereto to replace Attachment "A" previously provided with Bill No. 17R-298 (Interlocal Cooperation Agreement Prairie Corridor on Haines Branch).

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

**CAMP** Moved to delay Public Hearing & Action 3 months.

Seconded by Lamm & **LOST** by the following vote: AYES: Camp, Christensen, Lamm; NAYS: Eskridge, Gaylor Baird, Raybould, Shobe.

**LAMM** Moved to delay Public Hearing & Action 3 weeks to 1/8/18.

Seconded by Camp & **LOST** by the following vote: AYES: Camp, Christensen, Lamm; NAYS: Eskridge, Gaylor Baird, Raybould, Shobe.

**CLERK** Read the following resolution, introduced by Carl Eskridge, who moved its adoption as amended:  
A-90823 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the Interlocal Cooperation Agreement between the City of Lincoln and the Lower Platte South Natural Resources District for the Prairie Corridor on Haines Branch Project, a copy of which is attached hereto, marked as Attachment "A" and made a part hereof by reference, is hereby approved, and the Mayor is authorized to execute said Interlocal Cooperation Agreement and any necessary subsequent amendments thereto on behalf of the City.

The City Clerk is directed to return one fully executed copy of said Interlocal Cooperation Agreement to Lynn Johnson, Parks and Recreation Department, for transmittal to the Lower Platte South Natural Resources District.

Introduced by Carl Eskridge

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

**APPROVING A COOPERATION AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE NATIONAL AUDUBON SOCIETY THROUGH ITS SPRING CREEK PRAIRIE AUDUBON CENTER OFFICE FOR THE PRAIRIE CORRIDOR ON HAINES BRANCH PROJECT. (RELATED ITEMS: 17R-297, 17R-298, 17R-299) - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:**

A-90824 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached Cooperation Agreement for Prairie Corridor on Haines Branch between the City of Lincoln and National Audubon Society, Inc. through its Spring Creek Prairie Audubon office for the cooperative implementation of the Prairie Corridor on Haines Branch Project upon the terms and conditions as set forth in said Agreement, is hereby approved and the Mayor is authorized to execute said Agreement and any necessary subsequent amendments thereto on behalf of the City.

The City Clerk is hereby directed to transmit a copy of the executed original Agreement to Lynn Johnson, Parks and Recreation Department, for transmittal to National Audubon Society, Inc.

Introduced by Carl Eskridge

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

**APPROVING THE TRANSFER OF FUNDS TO THE LINCOLN PARKS & RECREATION FOUNDATION FOR THE PRAIRIE CORRIDOR ON HAINES BRANCH ENDOWMENT. (RELATED ITEMS: 17R-297, 17R-298, 17R-299) - PRIOR to reading:**

**LAMM** Moved to delay Public Hearing & Action 90 days.

Seconded by Camp & **LOST** by the following vote: AYES: Camp, Christensen, Lamm; NAYS: Eskridge, Gaylor Baird, Raybould, Shobe.

**CLERK** Read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-90825 WHEREAS under the provisions of Section 25 and 25a of Article IX of the Charter of the City of Lincoln and Chapter 3.06 of the Lincoln Municipal Code, the biennial budget for the City of Lincoln was submitted on July 18, 2016 and adopted on August 29, 2016; and WHEREAS, under the provisions of Section 26 of Article IX and Chapter 3.06 of the Lincoln Municipal Code and Nebraska Revised Statutes § 13-511, a notice and public hearing on the proposed revised budget was held on August 28, 2017, notice thereof having been published in one issue of the Lincoln Journal Star, a newspaper of general circulation in the City, more than five days before such hearing.

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

1. The Finance Director is hereby authorized to transfer to the Lincoln Parks and Recreation Foundation, pursuant to an agreement with said Foundation, up to the following balances plus accrued interest or other revenue:

From:	09001.5988	Parks Department Administration	\$400,000
To:	1317	Lincoln Parks Foundation Prairie Corridor on Haines Branch Endowment	\$400,000

2. The Finance Director is hereby authorized to change the schedules and attachments to accurately reflect this Resolution.

Introduced by Carl Eskridge

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



APPROVING A RESOLUTION IN SUPPORT OF LINCOLN ENVIRONMENTAL ACTION PLAN (LEAP) AS A MEANS TO ESTABLISH CONSENSUS IN MOVING FORWARD WITH CRITICAL INITIATIVES IN THE AREAS OF ENERGY, LAND USE, TRANSPORTATION, WASTE MANAGEMENT, AND WATER RESOURCES - PRIOR to reading:

CAMP Moved to delay Public Hearing & Action 1 month.  
Seconded by Lamm & **LOST** by the following vote: AYES: Camp, Lamm; NAYS: Christensen, Eskridge, Gaylor Baird, Raybould, Shobe.

CLERK Read the following resolution, introduced by Carl Eskridge, who moved its adoption:  
A-90826 WHEREAS, the City of Lincoln seeks to support and promote municipal and community-wide energy conservation and the increased use of renewable energy resources that decrease long-term fuel costs, cut greenhouse gas emissions, improve energy resilience, and save taxpayer dollars; and

WHEREAS, the City of Lincoln seeks to preserve and enhance Lincoln's urban tree canopy and open space and to maximize the value of underutilized property through policies and initiatives supporting infill and urban agriculture; and

WHEREAS, the City of Lincoln seeks to improve Lincoln's transportation system by encouraging energy efficiency, multi modal options, greater access, and continued investment in "Smart City" technology; and

WHEREAS, the City of Lincoln seeks to continue programs and incentives for waste reduction, diversion, and recycling to minimize environmental impacts, preserve landfill space, conserve resources, and create jobs; and

WHEREAS, the City of Lincoln seeks to ensure the quality and resilience of Lincoln's water supply and watershed systems through comprehensive planning, conservation, and funding support; and

WHEREAS, it is crucial that a balanced environmental action plan be implemented to guide the City of Lincoln in systematically addressing environmental challenges and opportunities for the community; and

WHEREAS, the Mayor's Environmental Task Force initiated the development of Lincoln's first formal environmental action plan in 2016 with recommended actions and performance indicators to measure progress that is envisioned in the Lincoln Environmental Action Plan.

NOW, THEREFORE BE IT RESOLVED, that the City of Lincoln will adopt the Lincoln Environmental Action Plan (LEAP) attached hereto and collectively work to fund and implement its key strategies.

Introduced by Carl Eskridge

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

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

ACCEPTING AND APPROVING AN AMENDMENT OF LEASE AGREEMENT BETWEEN LINCOLN PARKS AND RECREATION DEPARTMENT AND LINCOLN PARKS AND RECREATION FOUNDATION TO LEASE APPROXIMATELY 272.25 SQUARE FEET OF SPACE AT 3140 N STREET, SUITE 301 FOR THE FOUNDATION'S OFFICE. (REQUEST TO DELAY INTRODUCTION TO 12/11/17) - CLERK read an ordinance, introduced by Carl Eskridge, accepting and approving an Amendment of Lease Agreement between Lincoln Parks and Recreation Department and Lincoln Parks and Recreation Foundation to lease approximately 272.25 square feet of space at 3140 N Street, Suite 301 for the Foundation's office, the second time.

AUTHORIZING THE ISSUANCE OF TAX ALLOCATION BONDS FOR THE HUVEPHARMA REDEVELOPMENT PROJECT - PRIOR to reading:

SHOBE Moved to place Bill No. 17-190 on Pending, no date certain.  
Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould, Shobe; NAYS: None.

CLERK Read an ordinance, introduced by Carl Eskridge, 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 \$500,000.00 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 Huvepharma Redevelopment Project Area, and (2) paying the costs of issuance thereof; prescribing the form and certain details of the bonds, notes or other obligations; pledging certain tax revenue and other revenue to the payment of the principal of and interest on the bonds, notes or other obligations as the same become due; limiting payment of the bonds, notes or other obligations to such tax revenues; creating and establishing funds and accounts; delegating, authorizing and directing the Finance Director to exercise his independent discretion and judgment in determining and finalizing certain terms and provisions of the bonds, notes or other obligations not specified herein; taking other actions and making other covenants and agreements in connection with the foregoing; and related matters, the second time.

TEXT AMENDMENT 17017 – AMENDING CHAPTER 27.59 OF THE LINCOLN MUNICIPAL CODE RELATING TO AIRPORT ZONING BY AMENDING SECTION 27.59.070 TO UPDATE THE REFERENCE TO THE DIVISION OF AERONAUTICS OF THE STATE OF NEBRASKA DEPARTMENT OF TRANSPORTATION BASED ON A MERGER OF THE DEPARTMENTS EFFECTIVE JULY 1, 2017; ADOPTING A REVISED LINCOLN AIRPORT ZONING MAP; AND REPEALING SECTION 27.59.070 AS HITHERTO EXISTING - CLERK read an ordinance, introduced

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by Carl Eskridge, amending Chapter 27.59 of the Lincoln Municipal Code relating to Airport Zoning Regulations by amending Section 27.59.070 to change the reference to the State Department of Aeronautics to the Division of Aeronautics of the State of Nebraska Department of Transportation based on a merger of the departments effective July 1, 2017; adopting a revised Lincoln Airport Zoning Map; and repealing Section 27.59.070 as hitherto existing, the second time.

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

CREATING SEWER DISTRICT NO. 1189 FOR THE PURPOSE OF CONSTRUCTING A SEWER DISTRICT TO SERVE SEVEN PROPERTIES AND ASSESSING THE COSTS THEREOF AGAINST THE BENEFITTED PROPERTIES - CLERK read an ordinance, introduced by Jon Camp, creating Sewer District No. 1189, designating the real estate to be benefitted, providing for assessment of the costs of the improvements constructed therein, 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 third time.

CAMP Moved to pass ordinance as read.

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

The ordinance, being numbered **#20610**, is recorded in Ordinance Book 34.

TEXT AMENDMENT 17015 – AMENDING TITLE 27 OF THE LINCOLN MUNICIPAL CODE (THE “ZONING ORDINANCE”) BY AMENDING SECTION 27.02.020 TO ADD A DEFINITION FOR ACCESSORY DWELLING; BY AMENDING SECTION 27.02.040 TO ADD A DEFINITION FOR CONDITIONED AREA; BY AMENDING SECTION 27.06.020 TO PROVIDE THAT IN THE R-1 THROUGH R-4 ZONING DISTRICTS, A DETACHED ACCESSORY BUILDING MAY BE USED FOR AN ACCESSORY DWELLING IN CONFORMANCE WITH THE REQUIREMENTS OF SECTION 27.62.040; BY AMENDING SECTION 27.06.070 TO ADD A SINGLE-FAMILY DWELLING AND A DETACHED ACCESSORY DWELLING ON THE SAME PREMISES AS A CONDITIONAL PERMITTED USE IN THE R-1 THROUGH R-4 ZONING DISTRICTS; BY AMENDING SECTION 27.62.040 TO PROVIDE THAT A BUILDING OR PREMISES MAY BE USED FOR A SINGLE-FAMILY DWELLING AND A DETACHED ACCESSORY DWELLING AS A PERMITTED CONDITIONAL USE IN THE R-1 THROUGH R-4 ZONING DISTRICT IN COMPLIANCE WITH THE CONDITIONS OF APPROVAL FOR THAT USE TYPE AND TO PROVIDE CONDITIONS; BY AMENDING SECTIONS 27.67.030, 27.67.040, AND FIGURE 27.67.040 TO INCLUDE GENERAL CONDITIONS AND SPECIAL CONDITION PARKING REQUIREMENTS FOR ACCESSORY DWELLING UNITS; BY AMENDING SECTION 27.72.120 TO PROVIDE THAT ACCESSORY BUILDINGS HOUSING A CONDITIONED AREA SHALL COMPLY WITH THE HEIGHT AND YARD REQUIREMENTS FOR THE MAIN BUILDING PROVIDED THAT SUCH ACCESSORY BUILDING SHALL NOT EXCEED THE HEIGHT OF THE MAIN BUILDING AND THAT THE CUMULATIVE AREA OF ALL ACCESSORY BUILDINGS HOUSING A CONDITIONED AREA (INCLUDING ACCESSORY DWELLINGS) SHALL NOT EXCEED THE ACCESSORY BUILDING MAXIMUM AREA PER SECTION 27.72.120(D); AND REPEALING SECTIONS 27.02.020, 27.02.040, 27.06.020, 27.06.070, 27.62.040, 27.67.030, 27.67.040, FIGURE 27.67.040, AND 27.72.120 AS HITHERTO EXISTING. (RELATED ITEMS 17-189, 17R-285) - CLERK read an ordinance, introduced by Jon Camp, amending Title 27 of the Lincoln Municipal Code (the “Zoning Ordinance”) by amending Section 27.02.020 to add a definition for Accessory Dwelling; by amending Section 27.02.040 to add a definition for Conditioned Area; by amending Section 27.06.020 to provide that in the R-1 through R-4 zoning districts a detached accessory building may be used for an accessory dwelling in conformance with the requirements of Section 27.62.040; by amending Section 27.06.070 to add a single-family dwelling and a detached accessory dwelling on the same premises as a conditional permitted use in the R-1 through R-4 zoning districts; by amending Section 27.62.040 to provide that a building or premises may be used for a single-family dwelling and a detached accessory dwelling as a permitted conditional use in the R-1 through R-4 zoning district in compliance with the conditions of approval for that use type; by amending Sections 27.67.030, 27.67.040, and Figure 27.67.040 to include general conditions and special condition parking requirements for accessory dwelling units; by amending Section 27.72.120 to provide that accessory buildings having a conditioned area shall comply with the height and yard requirements for the main building provided that such accessory building shall not exceed the height of the main building; and repealing Sections 27.02.020, 27.02.040, 27.06.020, 27.06.070, 27.62.040, 27.67.030, 27.67.040, Figure 27.67.040, and 27.72.120 as hitherto existing, the third time.

CAMP Moved to pass ordinance as read.

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

The ordinance, being numbered **#20611**, is recorded in Ordinance Book 34.

TEXT AMENDMENT 17015 – AMENDING TITLE 3 DESIGN STANDARDS FOR ZONING REGULATIONS BY ADDING A NEW CHAPTER 3.115 ACCESSORY DWELLING DESIGN STANDARDS TO ESTABLISH THE GENERAL REQUIREMENTS FOR ACCESSORY DWELLING UNITS; AMENDING TITLE 1 GENERAL PROVISIONS BY AMENDING SECTION 2.5 OF CHAPTER 1.00 REQUEST FOR WAIVER, PROCEDURE TO INCLUDE ACCESSORY DWELLING DESIGN STANDARDS AS PROVIDED FOR IN CHAPTER 3.115 OF THE CITY OF LINCOLN DESIGN STANDARDS; REPEALING SECTION 2.5 OF CHAPTER 1.00 AS HITHERTO EXISTING; AMENDING TITLE 3 DESIGN STANDARDS FOR ZONING REGULATIONS BY AMENDING

SECTION 2 OF CHAPTER 3.75 NEIGHBORHOOD DESIGN STANDARDS TO ESTABLISH THAT CONSTRUCTION OF DETACHED ACCESSORY DWELLINGS DOES NOT REQUIRE REVIEW UNDER THESE DESIGN STANDARDS, BUT SHALL FOLLOW THE DESIGN STANDARDS FOR ACCESSORY DWELLINGS IN CHAPTER 3.115 OF THE CITY OF LINCOLN DESIGN STANDARDS; AND REPEALING SECTION 2 OF CHAPTER 3.75 AS HITHERTO EXISTING. (RELATED ITEMS 17-189, 17R-285) (ACTION DATE: 12/18/17) - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-90827

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

WHEREAS, Title 27 of the Lincoln Municipal Code was amended to include definitions and conditions for Accessory Dwelling Units and, therefore, the Planning Director has proposed to amend Title 3 Design Standards for Zoning Regulations by adding a new Chapter 3.115 Accessory Dwelling Design Standards to establish the general requirements for Accessory Dwelling Units.

WHEREAS, the Planning Director has proposed to amend Title 1 General Provisions by amending Section 2.5 of Chapter 1.00 Request for Waiver, Procedure to include Accessory Dwelling Design Standards as provided for in Chapter 3.115 of the City of Lincoln Design Standards; and repealing Section 2.5 of Chapter 1.00 as hitherto existing.

WHEREAS, the Planning Director has proposed to amend Title 3 Design Standards for Zoning Regulations by amending Section 2 of Chapter 3.75 Neighborhood Design Standards to establish that construction of detached accessory dwellings does not require review under these design standards, but shall follow the design standards for accessory dwellings in Chapter 3.115 of the City of Lincoln Design Standards; and repealing Section 2 of Chapter 3.75 as hitherto existing.

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

1. That Title 3 Design Standards for Zoning Regulations be and the same is hereby amended to add a new Chapter 3.115 Accessory Dwelling Design Standards as shown on Attachment “A” which is attached hereto and incorporated herein by this reference.

2. That Section 2.5 of Chapter 1.00 Request for Waiver, Procedure be and the same is hereby amended as shown on Attachment “B” which is attached hereto and incorporated herein by this reference.

3. That Section 2 of Chapter 3.75 Neighborhood Design Standards be and the same is hereby amended as shown on Attachment “C” which is attached hereto and incorporated herein by this reference.

4. That Section 2.5 of Chapter 1.00 and Section 2 of Chapter 3.75 of the City of Lincoln Design Standards are repealed as hitherto existing.

Introduced by Jon Camp

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

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

APPROVING APPROPRIATIONS IN THE AMOUNT OF \$195,499.00 FROM THE OPERATION OF KENO LOTTERY FUNDS FOR VARIOUS HUMAN SERVICES (ROUND 42). (*CONSENT*)

APPOINTING KILE JOHNSON TO THE NEBRASKA CAPITOL ENVIRONS COMMISSION FOR A TERM EXPIRING JANUARY 9, 2021. (*CONSENT*)

APPROVING A CONTRACT BETWEEN THE CITY OF LINCOLN AND CONTINUUM EMPLOYEE ASSISTANCE TRAINING CONSULTING FOR EMPLOYEE ASSISTANCE PROGRAM SERVICES FOR A THREE-YEAR PERIOD FROM JANUARY 1, 2018 THROUGH DECEMBER 31, 2020.

SPECIAL PERMIT 1219N – APPLICATION OF BRYAN MEDICAL CENTER FOR AUTHORITY TO AMEND SPECIAL PERMIT NO. 1219M TO ALLOW BRYAN MEDICAL CENTER EAST CAMPUS TO CONSTRUCT WALL SIGNAGE LARGER THAN 50 SQUARE FEET AND AMEND THEIR CAMPUS SIGNAGE PLAN, ON PROPERTY GENERALLY LOCATED AT 48<sup>TH</sup> AND A STREETS.

PRE-EXISTING USE PERMIT 3AH – APPLICATION OF CAMPBELL, LLC TO AMEND THE BOUNDARY OF THE GATEWAY MALL USE PERMIT BY ADDING PROPERTY AND AUTHORITY TO CONSTRUCT A TOTAL OF 300 DWELLING UNITS AND 70,000 SQUARE FEET OF COMMERCIAL SPACE OR SOME COMBINATION OF BOTH, INCLUDING WAIVERS TO INCREASE THE MAXIMUM BUILDING HEIGHT FROM 40 FEET TO 55 FEET AND TO REDUCE RESIDENTIAL PARKING REQUIREMENTS FROM 2 TO 1.4 STALLS PER DWELLING UNIT, ON PROPERTY GENERALLY LOCATED AT 6400 Q STREET.

USE PERMIT 140F – APPLICATION OF MENARD, INC. TO REDUCE THE PARKING REQUIREMENT FOR A HOME IMPROVEMENT STORE TO ONE SPACE PER 500 SQUARE FEET OF FLOOR AREA, ON PROPERTY GENERALLY LOCATED AT 8900 ANDERMATT DRIVE.

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

TEXT AMENDMENT 17020 – AMENDING TITLE 27 OF THE LINCOLN MUNICIPAL CODE (THE “ZONING ORDINANCE”) BY AMENDING SECTION 27.69.260 TO REVISE THE SIGN PROVISIONS FOR NONRESIDENTIAL HEALTH CARE FACILITIES AND POST SECONDARY SCHOOLS AND REPEALING SECTION 27.69.260 AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending Title 27 of the Lincoln Municipal Code (the “Zoning Ordinance”) by amending Section 27.69.260 to revise the sign provisions for Nonresidential Health Care Facilities and Post Secondary Schools and repealing Section 27.69.260 as hitherto existing, the first time.

ANNEXATION 17023 – AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 21.16 ACRES OF PROPERTY GENERALLY LOCATED AT NORTHWEST 48<sup>TH</sup> AND WEST HOLDREGE STREETS. (RELATED ITEMS: 17-193, 17-194) - CLERK read an ordinance, introduced by Leirion Gaylor Baird, annexing and including the below described land as part of the City of Lincoln, Nebraska and amending the Corporate Limits Map attached to and made a part of Ordinance No. 18208, to reflect the extension of the corporate limits boundary of the City of Lincoln, Nebraska established and shown thereon, the first time.

CHANGE OF ZONE 07063B – APPLICATION OF RINGNECK DEVELOPMENT, LLC, TO AMEND THE I-80 WEST LINCOLN BUSINESS CENTER PLANNED UNIT DEVELOPMENT FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT PUD AND H-3 HIGHWAY COMMERCIAL DISTRICT PUD; FOR PLANNED UNIT DEVELOPMENT DESIGNATION OF SAID PROPERTY; AND FOR A DEVELOPMENT PLAN WHICH PROPOSES MODIFICATIONS TO THE ZONING ORDINANCE AND LAND SUBDIVISION ORDINANCE TO ALLOW FOR A MIX OF COMMERCIAL AND RESIDENTIAL USES, ON PROPERTY GENERALLY LOCATED AT NORTHWEST 48<sup>TH</sup> AND WEST HLDREGE STREETS. (RELATED ITEMS: 17-193, 17-194) - CLERK read an ordinance, introduced by Leirion Gaylor Baird, 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 first time.

CHANGE OF ZONE 17033 – APPLICATION OF M.W.H. LEASING, LLC FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO I-1 INDUSTRIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT SOUTH 21<sup>ST</sup> STREET AND SALTILLO ROAD - CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the first time.

TEXT AMENDMENT 17019 – AMENDING TITLE 27 OF THE LINCOLN MUNICIPAL CODE (THE “ZONING ORDINANCE”) BY AMENDING SECTION 27.02.240 TO REVISE THE DEFINITION FOR WAREHOUSE BY INCLUDING WHOLESALE AND DISTRIBUTION CENTERS IN SAID DEFINITION; BY AMENDING THE MANUFACTURING, PROCESSING, STORAGE AND DISTRIBUTION USE GROUP DESCRIBED IN SECTION 27.06.180 TO ALLOW WAREHOUSES AS A CONDITIONAL USE IN THE H-3 AND H-4 ZONING DISTRICTS AND TO STRIKE THE WHOLESALE AND DISTRIBUTION CENTERS AS A USE; BY AMENDING SECTION 27.62.150 RELATING TO MANUFACTURING, PROCESSING, STORAGE AND DISTRIBUTION USE GROUP TO DESCRIBE THE CONDITIONS REQUIRED FOR WAREHOUSES LOCATED IN THE H-3 AND H-4 ZONING DISTRICTS; BY REPEALING PARAGRAPH (4) OF SECTION 27.63.470 RELATING TO WHOLESALE AND DISTRIBUTION CENTERS; AND REPEALING SECTIONS 27.02.240, 27.06.180, 27.62.150, AND 27.63.470 AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending Title 27 of the Lincoln Municipal Code (the “Zoning Ordinance”) by amending Section 27.02.240 to revise the definition for Warehouse by including wholesale and distribution centers in said definition; by amending the Manufacturing, Processing, Storage and Distribution Use Group described in Section 27.06.180 to allow warehouses as a conditional use in the H3 and H4 zoning districts and to strike the Wholesale and Distribution Centers as a use; by amending Section 27.62.150 relating to Manufacturing, Processing, Storage and Distribution Use Group to describe the conditions required for warehouses located in the H3 and H4 zoning districts; by repealing paragraph (4) of Section 27.63.470 relating to wholesale and distribution centers; and repealing Sections 27.02.240, 27.06.180, 27.62.150, and 27.63.470 as hitherto existing, the first time.

ANNEXATION 17022 – AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 11 ACRES OF PROPERTY GENERALLY LOCATED AT SOUTH 84<sup>TH</sup> STREET AND AUGUSTA DRIVE. (RELATED ITEMS: 17-197, 17-198) - CLERK read an ordinance, introduced by Leirion Gaylor Baird, annexing and including the below described land as pat of the City of Lincoln, Nebraska and amending the Corporate Limits Map attached to and made a part of Ordinance No. 18208, to reflect the extension of the corporate limits boundary of the City of Lincoln, Nebraska established and shown thereon, the first time.

CHANGE OF ZONE 17034 – APPLICATION OF NUMARK GOLF, LLC FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT SOUTH 84<sup>TH</sup> STREET AND AUGUSTA DRIVE. (RELATED ITEMS: 17-197, 17-198)- CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the first time.

**ADJOURNMENT**

**9:50 P.M.**

CAMP Moved to adjourn the City Council Meeting of December 18, 2017.  
Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould, Shobe; NAYS: None.

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Teresa J. Meier, City Clerk

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Monet J. McCullen, Office Specialist

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