

**THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, JANUARY 8, 2018 AT 3:00 P.M.**

The Meeting was called to order at 3:00 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

CAMP Having been appointed to read the minutes of the City Council Proceedings of December 18, 2017, reported having done so, found same correct.

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

PUBLIC HEARING

APPOINTING KILE JOHNSON TO THE NEBRASKA CAPITOL ENVIRONS COMMISSION FOR A TERM EXPIRING JANUARY 9, 2021 - Kile Johnson, 1227 Lincoln Mall, applicant, came forward and requested approval. Discussion followed.

This matter was taken under advisement.

APPLICATION OF SHAVASANA, LLC DBA METHOD CYCLES & CRAFT HOUSE FOR A CLASS C LIQUOR LICENSE AT 416 SOUTH 11TH STREET;
MANAGER APPLICATION OF DEBORAH J. STEPHEN FOR SHAVASANA, LLC DBA METHOD CYCLES & CRAFT HOUSE AT 416 SOUTH 11TH STREET - Deborah Stephen, 4353 Washington Street, applicant, came forward to take the oath and requested approval. Discussion followed.

This matter was taken under advisement.

APPLICATION OF 13 LO ENTERPRISES, LLC DBA LUCKIE'S LOUNGE & GRILL FOR A CLASS C LIQUOR LICENSE AT 1101 WEST BOND STREET;
MANAGER APPLICATION OF MARK A. GOODEN FOR 13 LO ENTERPRISES, LLC DBA LUCKIE'S LOUNGE & GRILL AT 1101 WEST BOND STREET - Mark Gooden, 3010 Porter Circle, applicant, came forward to take the oath and requested approval. Stated he is in the process of purchasing Luckie's Lounge & Grill, he has a full time job during the week, so he has hired Amy to be the liquor manager and has submitted her application to the Liquor Commission for review. Discussion followed.

Jon Camp, Council Member, asked what roll Spencer would play in the business. Discussion followed.

Mr. Gooden shared his son, Spencer, has been in the food service business for 15 years, and is the owner of two Little King Sub shops in Lincoln. The plan is for Spencer to help with the food service part of this operation not the bar. Spencer did want to be the new owner of Luckie's Lounge, but it was decided after conversations with Investigator Schafer and the Liquor Commission that he, Spencer, would not be allowed to hold a liquor license because of his past criminal history. Discussion followed.

Conan Schafer, Police Investigator, came forward and shared he had visited with Spencer on three different occasions about the purchase of Luckie's and obtaining a Liquor License for this establishment. Spencer was able to provide some documentation regarding his criminal history, and with two disqualifying convictions, Spencer would not be able to get a liquor license. Some questions were raised about Spencer's involvement in the purchase of Luckie's when Spencer's father, Mark Gooden, decided to purchase the lounge. During an interview with Mr. Gooden, he discussed that Spencer would have some involvement with marketing and the kitchen management. Although, it does state that a disqualified person is not allowed to have any involvement with the operations of the business. The Liquor Commission has sent additional information showing that there was a Lease Amendment and Spencer has been removed from the lease. Mr. Gooden has also been informed that due to the location of this establishment and the zoning concerns for Luckie's he will need to apply for a Special Permit for an On and Off Premises Consumption Permit from the Planning Department. Discussion followed.

Mr. Gooden stated that everything Investigator Schafer said was correct. Spencer was the one that first heard about Luckie's Lounge and did the initial investigation on the business, but once Spencer learned he would be disqualified he didn't apply for the liquor permit. When Spencer told him about this opportunity he thought this would be a good investment for him. Amy, the new liquor manager, will be the one to run the bar side of the business. Spencer is his son, and because of that, he would not be able to say that Spencer would never be around the business. And he had hoped that since Spencer knows the business, he would be able to help with a portion of the business. Spencer would make a tremendous contribution to the success of the business. As for the liquor application, we will be submitting a new application to the Liquor Commission for on sale only at this location. Discussion followed.

**REGULAR MEETING
JANUARY 8, 2018
PAGE 220**

Brian Will, Planning Department, came forward and stated for the sale of alcohol there are two separate permits, one is for on sale and the other is for off sale, so they would need both permits for this establishment if they plan on having off sale. In the past, Luckie's has only applied for the on sale permit, which allows them to sell alcohol at the bar only. Once the applicant modifies his license request for just on sale there should not be a problem with getting the special permit, which is required at this location because of the zoning. Discussion followed.

Tonya Peters, Assistant City Attorney, came forward and stated there is a 45 day review period for liquor applications, so the decision on this application needs to be done by the 15th of this month. If Council does not take action on this application tonight, it will be automatically approved by the Liquor Commission. If he wants to modify this application, he will need to submit a new application. Discussion followed.

Roy Christensen, Council Chair, asked about Mr. Gooden's son not being able to participate in the business and if that was a State Law. Discussion followed.

Ms. Peters explained that the criminal history is only done on applicants not family members, so this would need to be brought to the Liquor Commission attention to make them aware of Spencer's criminal history and that he was Mr. Gooden's son. Otherwise, the Liquor Commission would have no way of knowing about Spencer's criminal history or that he was even Mr. Gooden's son. With letting the Liquor Commission know about Spencer and his criminal history, they will put conditions on the liquor license to have it on record. So, if Spencer is at the business and in control of its operation, they can come back on the liquor license. Discussion followed.

Mr. Gooden stated this is the first time that he has heard anything about conditions being put on the liquor license and he would like to have a chance to look at them. Discussion followed.

Ms. Peters stated that Spencer would still be allowed to go to the establishment, the conditions put on the liquor license from the Commission would be put in place to prevent Spencer from being in control of the operation, not from going to the business. Discussion followed.

Bennie Shobe, Council Member, asked if Spencer worked in the restaurant and not the bar, would that be allowed. Discussion followed.

Ms. Peters said no, that you could not separate the two parts of the business. Discussion followed.

Mr. Gooden stated it is really important that Spencer is involved in the marketing and food service part of this operation because that is where his expertise is. He can assure Council that Spencer will not be involved in any portion of the liquor side of the business and will not share in any of the profits from this business, he will be paid just like any other employee. Discussion followed.

Cyndi Lamm, Council Member, asked if other food service businesses that serve alcohol are required to have the all employees get a background check to work in the kitchen of that business, is that something that is required by the Health Department. Discussion followed.

Ms. Peters said no, that background checks are not required to be done on employees that are getting food handling permits to work in the restaurant portion of a business. Discussion followed.

This matter was taken under advisement.

MANAGER APPLICATION OF CHRISTINA M. MACCRACKEN FOR BLINK RESTAURANTS, INC. DBA IRONHORSE BAR & EVENT ROOM AT 728 Q STREET, SUITE B - Christina MacCracken, 444 F Street, applicant, came forward to take the oath and requested approval. Discussion followed.

This matter was taken under advisement

MANAGER APPLICATION OF CHRISTOPHER L. COWAN FOR CAREY JOHNSON OIL CO. DBA EZ GO #80 AT 2555 O STREET AND EZ GO #81 AT 8411 WINDMILL DRIVE - Teresa Meier, City Clerk, advised the applicant put in a request to withdraw their application.

This matter was taken under advisement.

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 - Doug McDaniel, Director of Human Resources, came forward and explained this is a three year contract with Continuum EAP. They serve as our employee assistance program and will also serve as our substance abuse professionals for our DOT drug testing processes. Discussion followed.

Leirion Gaylor Baird, Council Member, inquired if this contract is new and if any changes have been made to the contract.

Mr. McDaniel shared there is a slight increase in fees, otherwise it is the same contract that we have had with Continuum in the past. Discussion followed.

This matter was taken under advisement.

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 48TH AND A STREETS;
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 - DaNay Kalkowski, Seacrest & Kalkowski, 1128 Lincoln Mall, Suite 105, came forward on behalf of Bryan Medical Center and requested approval. This special permit is being requested in conjunction with a text amendment to modify

the sign regulations pertaining to hospitals and post-secondary education facilities. Bryan Medical Center is requesting a special permit to allow five wall signs from 50 square feet up to 200 square feet and one wall sign up to 150 square feet to allow for the identification of the buildings on campus. All of the proposed new wall signs are oriented toward the interior of the campus except for the sign on the north side of the 5055 A Street building. The amendment to the text amendment will provide for marquee and directional signs to be permitted for internal way finding signs, which are not in the current regulations. This will also allow for additional square footage up to 100 square feet for freestanding signs and up to 200 square feet for wall signs. These types of signs have been permitted in the past and are currently being used, so this is just a clean-up item. Even with these amendments the applicants will still be required to show a sign plan with the signs the applicant is wanting and will still need to be approved by Planning. Discussion followed.

Leirion Gaylor Baird, Council Member, inquired about the distance between these signs and the nearest residence in the surrounding neighborhoods.

Don Sheets, Director of Facilities at Bryan Health, 1600 South 48th Street, came forward and shared that the building is over 200 feet from the houses on A Street. Discussion followed.

This matter was taken under advisement.

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 - David Cary, Planning Director, came forward saying this is the type of proposal we want to see happen, it provides for a true mixed use opportunity at Gateway Mall through commercial and a proposal for some dwelling units. Amending this pre-existing use permit will allow a proposal for this development to come forward. Discussion followed.

Carl Eskridge, Council Member, inquired about the reduction in parking requirement and if that would be enough parking for the type of housing envisioned for this development.

Mr. Cary stated that in doing, this we are being consistent with a previous amendment on the west side of the Gateway Mall back in 2016 for other residential parking on that development with limitations. With this amendment, there will also be some limitations on the number of larger units being built by the development. Discussion followed.

This matter was taken under advisement.

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 - David Cary, Planning Director, came forward saying this is the third request from this applicant to reduce the amount of required parking. The Planning Commission is in support of this parking reduction saying the previous two requests for parking reductions had no adverse impact on the area. The applicant is requesting the required parking ratio be reduced from 810 spaces to 650 spaces to accommodate the construction of an indoor mezzanine that will be used primarily for inventory storage. With the expansion of the building being used for inventory storage, it should not generate more traffic or activity where more parking spaces would be needed. If the use of this area were to change on this site, especially if there were to be a redevelopment of the site, the parking requirement would revert back to the original parking requirements. Discussion followed.

Bennie Shobe, Council Member, inquired if the area was to be redeveloped, where would all those original parking stalls come from if they have already been built on.

Mr. Cary explained for this site there is an outdoor area that could revert back to parking if it was necessary. Discussion followed.

Nick Brenner, 5101 Menard Drive, Eau Claire, Wisconsin, came forward and stated that parking for customers is very important to Menard's. Discussion followed.

This matter was taken under advisement.

ANNEXATION 17023 – AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 21.16 ACRES OF PROPERTY GENERALLY LOCATED AT NORTHWEST 48TH AND WEST HOLDREGE STREETS (RELATED ITEMS: 17-193, 17-194);

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 48TH AND WEST HOLDREGE STREETS (RELATED ITEMS: 17-193, 17-194) - David Cary, Planning Director, came forward saying this is the next phase of the Ringneck Development that is in accordance with what is in the CIP and also with the PUD. We will be annexing the next area where there is one section of property that is a stand alone property. We have had discussions with the property owners and they are in support of this annexation. Discussion followed.

This matter was taken under advisement.

CHANGE OF ZONE 17033 – APPLICATION OF M.W.H. LEASING, LLC FOR A CHANGE OF ZONE FROM

**REGULAR MEETING
JANUARY 8, 2018
PAGE 222**

AG AGRICULTURAL DISTRICT TO I-1 INDUSTRIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT SOUTH 21ST STREET AND SALTILLO ROAD - Tim Gergen, Clark Enersen Partners, 1010 Lincoln Mall, Suite 200, came forward and stated this change of zone is from AG Agriculture District to I-1 Industrial District over a small portion of one lot. This area has been purchased by the applicant and has been added to the preliminary plat. The change of zone corresponds with the area proposed to be added into the buildable lots shown on the revised Saltillo Industrial Park Preliminary Plat. Discussion followed.

This matter was taken under advisement.

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 - David Cary, Planning Director, came forward saying this item is mostly a clean-up item that will provide more clarity to the language and definitions relating to warehouses and wholesale and distribution center use from the zoning ordinance. We are also requesting to change some of the I-1 zoning districts that no longer need to be there, to H-3 and H-4 districts which will make for better neighbors next to a residential area. Discussion followed.

Leirion Gaylor Baird, Council Member, asked if this will change how easy or difficult it is to set up a manufacturing processing storage and distribution use or a warehouse and who would be affected.

Mr. Cary explained that they are bringing the wholesale and distribution centers, which is an undefined use, and part of the problem, into the warehouse uses definition. This amendment will then bring the wholesale and distribution centers into a defined use to help make it clear what is being covered. We are still providing for the warehouse activity to still allow for those uses to occur in the various zoning districts. We are not limiting the activities that are already out there in some of these zoning districts, what we are doing is providing a definition to some of those activities and making sure that it is clear. We are not saying you cannot do some of these uses, we are just being clear of where you can do them. Discussion followed.

Ms. Gaylor Baird inquired if that is changing since the table gives direction on where things are allowed, so if it is not defined and it is separate are its allowable placements changing by redefining it.

Mr. Cary shared that this would be opening up one district, which would be the H-3 district, to allow for some of those uses that currently would not be allowed in that district. Some of the other changes are that we are going from a special permit approvals will go to conditional, as well as, permitted to conditional. So the process of getting some of the approvals for these changes slightly, but this will ensure that the level of review is appropriate for the type of use that is being proposed in a certain district. Discussion followed.

Ms. Gaylor Baird asked for an explanation of what kept these uses kept out of the H-3 district in the past or if it was just an oversight.

Mr. Cary stated this was more of an oversight side of things which is indicative of the fact that there was not a definition for them and that is partly what is going on. Discussion followed.

This matter was taken under advisement.

ANNEXATION 17022 – AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 11 ACRES OF PROPERTY GENERALLY LOCATED AT SOUTH 84TH STREET AND AUGUSTA DRIVE. (RELATED ITEMS: 17-197, 17-198);

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 84TH STREET AND AUGUSTA DRIVE (RELATED ITEMS: 17-197, 17-198) - Tim Gergen, Clark Enersen Partners, 1010 Lincoln Mall, Suite 200, came forward on behalf of HiMark Golf Course, who is requesting this annexation and change of zone. With these amendments they are planning on adding 29 single-family residential homes to the HiMark neighborhood. The area to be annexed represents the last piece in this area that can be connected to city water and sewer. There have been discussions between the current neighbors and HiMark and both parties have reached an agreement. The special permit application is to amend the HiMark CUP by changing the internal lot layout, where there is golf today, and moving the clubhouse and banquet space to a more central location on the property. This will be a better operation for the Golf Course and this will give the sewer the ability to reach more homes in the area. Discussion followed.

This matter was taken under advisement.

COUNCIL ACTION

REPORTS OF CITY OFFICERS

APPROVING APPROPRIATIONS IN THE AMOUNT OF \$195,499.00 FROM THE OPERATION OF KENO LOTTERY FUNDS FOR VARIOUS HUMAN SERVICES (ROUND 42) - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-90828 WHEREAS, Resolution No. A-75378 provides that five percent of the gross proceeds realized by the City of Lincoln from the operation of a keno lottery shall be designated for such human services as may be recommended and approved by the Joint Budget Committee, City Council, and Lancaster Board of Commissioners; and

WHEREAS, the Joint Budget Committee has recommended that the City Council and Lancaster County Board of Commissioners approve the designation of \$195,499.00 from said gross funds for the human services, as listed in Attachment "A" (Keno H.S. Prevention Fund Round 42) attached hereto and incorporated herein by reference.

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

The designation of \$195,499.00 from the operation of keno lottery for the human services, as listed in Attachment "A", is hereby approved and the Mayor is authorized to enter into grant contracts with the respective agencies providing said human services.

Introduced by Leirion Gaylor Baird

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

APPOINTING KILE JOHNSON TO THE NEBRASKA CAPITOL ENVIRONS COMMISSION FOR A TERM EXPIRING JANUARY 9, 2021 - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-90829 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the appointment of Kile Johnson to the Nebraska Capitol Environs Commission, for a term expiring January 9, 2021, is hereby approved.

Introduced by Leirion Gaylor Baird

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

APPROVING THE DISTRIBUTION OF FUNDS REPRESENTING INTEREST EARNINGS ON SHORT-TERM INVESTMENTS OF IDLE FUNDS DURING THE MONTH ENDED NOVEMBER 30, 2017 - CLERK read the following resolution, introduced by Jane Raybould, who moved its adoption:

A-90830 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That during the month ended November 30, 2017 \$290,372.58 was earned from the investments of "IDLE FUNDS". The same is hereby distributed to the various funds on the pro-rata basis using the balance of each fund and allocating a portion of the interest on the ratio that such balance bears to the total of all funds balances.

Introduced by Jane Raybould

Seconded by Eskridge & 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 18, 2017 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(27-1)**

REPORT FROM CITY TREASURER OF CITY CASH ON HAND AT THE CLOSE OF BUSINESS ON OF NOVEMBER, 2017 - CLERK presented said report which was placed on file in the Office of the City Clerk. **(5-21)**

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

PETITIONS & COMMUNICATIONS

THE FOLLOWING WERE REFERRED TO THE PLANNING DEPT:

Special Permit No. 17045, Requested by Bruce Ayers to rebuild a garage on property generally located at 2635 South 20th Street.

PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:

Administrative Amendment No. 17079, to Change of Zone No. 07063A, I-80 West Lincoln Business Center PUD, approved by the Planning Director on December 26, 2017, to delete the site note related to identifying exact locations of water, sewer, drainage, and paving, generally located at NW 48th Street and W. Gary Gately Street.

LIQUOR RESOLUTIONS

APPLICATION OF SHAVASANA, LLC DBA METHOD CYCLES & CRAFT HOUSE FOR A CLASS C LIQUOR LICENSE AT 416 SOUTH 11TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-90831 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 Shavasana, LLC dba Method Cycles & Craft House for a Class "C" liquor license at 416 South 11th Street, Lincoln, Nebraska, for the license period ending October 31, 2018, be approved with the condition that

1. Applicant must successfully complete the responsible beverage server training course required by Section 5.04.035 of the Lincoln Municipal Code within 30 days of approval of this resolution.
2. All employees must possess a valid Responsible Beverage Server/Seller Permit as required by Section 5.04.124 of the Lincoln Municipal Code.
3. The premises must comply in every respect with all city and state regulations.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

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

MANAGER APPLICATION OF DEBORAH J. STEPHEN FOR SHAVASANA, LLC DBA METHOD CYCLES & CRAFT HOUSE AT 416 SOUTH 11TH STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-90832 WHEREAS, Shavasana, LLC dba Method Cycles & Craft House located at 416 South 11th Street, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that Deborah J. Stephen be named manager;

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

APPLICATION OF 13 LO ENTERPRISES, LLC DBA LUCKIE'S LOUNGE & GRILL FOR A CLASS C LIQUOR LICENSE AT 1101 WEST BOND STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for denial:

A-90833 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, pertinent City ordinances, and the following:

- a. If the applicant is of a class of person to whom no license can be issued.
- b. If the existing population of the City of Lincoln and the projected population growth of the City of Lincoln and within the area to be served are adequate to support the proposed license.
- c. If the issuance of the license would be compatible with the nature of the neighborhood or community.
- d. If existing licenses with similar privileges adequately serve the area.
- e. If there are any existing motor vehicle and/or pedestrian traffic flow issues in the area or if this application would cause motor vehicle and/or pedestrian traffic flow issues.
- f. If there is an adequate number of existing law enforcement officers in the area.
- g. If there are zoning and/or distance restrictions that prevent the issuance of a license.
- h. If there are sanitation and/or sanitary conditions on or about the area.
- i. If a citizens' protest has been made.

The City Council recommends to the Nebraska Liquor Control Commission that the application of 13 Lo Enterprises, LLC dba Luckie's Lounge & Grill for a Class "C" liquor license at 1101 West Bond Street, Lincoln, Nebraska, be denied. The City Council has determined that the application should be denied for one or more of the following reasons:

- a. The applicant is unfit, unwilling, and/or unable to properly provide the service proposed within the City of Lincoln.
- b. The applicant cannot conform to all provisions and requirements of and rules and

regulations adopted pursuant to the Nebraska Liquor Control Act and/or pertinent City ordinances.

c. The applicant has not demonstrated that the type of management and control to be exercised over the premises described in the application will be sufficient to insure that the licensed business can conform to all provisions and requirements of and rules and regulations adopted pursuant to the Nebraska Liquor Control Act, and pertinent City ordinances.

d. The applicant has not demonstrated that the issuance of the license is or will be required by the present or future public convenience and necessity.

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

Introduced by Jon Camp

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

MANAGER APPLICATION OF MARK A. GOODEN FOR 13 LO ENTERPRISES, LLC DBA LUCKIE'S LOUNGE & GRILL AT 1101 WEST BOND STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for denial:

A-90834 WHEREAS, 13 Lo Enterprises, LLC dba Luckie's Lounge & Grill located at 1101 West Bond Street, Lincoln, Nebraska requests that Mark A. Gooden be named manager of its facility in accordance with its application for a liquor license.

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 to the Nebraska Liquor Commission that Mark A. Gooden be denied as manager of this business for said licensee. The City Council has determined that the application should be denied for one or more of the following reasons:

a. The applicant is unfit, unwilling, and/or unable to properly provide the service proposed within the City of Lincoln.

b. The applicant cannot conform to all provisions and requirements of and rules and regulations adopted pursuant to the Nebraska Liquor Control Act and/or pertinent City ordinances.

c. The applicant has not demonstrated that the type of management and control to be exercised over the premises described in the application will be sufficient to insure that the licensed business can conform to all provisions and requirements of and rules and regulations adopted pursuant to the Nebraska Liquor Control Act, and pertinent City ordinances.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

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

MANAGER APPLICATION OF CHRISTINA M. MACCRACKEN FOR BLINK RESTAURANTS, INC. DBA IRONHORSE BAR & EVENT ROOM AT 728 Q STREET, SUITE B - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-90835 WHEREAS, Blink Restaurants, Inc. dba Ironhorse Bar & Event Room located at 728 Q Street, Suite B, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that Christina M. MacCracken be named manager;

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

MANAGER APPLICATION OF CHRISTOPHER L. COWAN FOR CAREY JOHNSON OIL CO. DBA EZ GO #80 AT 2555 O STREET AND EZ GO #81 AT 8411 WINDMILL DRIVE - PRIOR to reading:

CAMP Moved to withdraw the application.

Seconded by Raybould & 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 #38-4689 & was placed on file in the Office of the City Clerk.

PUBLIC HEARING - RESOLUTIONS

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 - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-90836 WHEREAS, there are employees working for the City of Lincoln who may, from time to time, experience problems which affect job performance; and

WHEREAS, Continuum Employee Assistance has established programs of assessment and referral in areas such as alcohol abuse, family, marital, emotional, financial, and legal concerns; and

WHEREAS, it is in the best interest of the employees of the City of Lincoln to have available to them a program for assisting and rehabilitating those employees who may have personal problems affecting job performance.

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

That the attached contract by and between the City of Lincoln and Continuum Employee Assistance - Training - Consulting for a term of January 1, 2018 through December 31, 2020, is hereby accepted and approved on behalf of the City and the Mayor is hereby authorized to execute said contract on behalf of the City and to bind the City pursuant to the terms and conditions contained in the said contract.

BE IT FURTHER RESOLVED that the fees for the services provided by Continuum Employee Assistance, pursuant to the terms and conditions of the contract, shall be \$71,396.00 for 2018, \$71,396.00 for 2019, and \$71,396.00 for 2020, all as set forth in the contract between the parties. The fee for HelpNet Services shall be \$3.00 per employee per year based on the employee count at the start of each year. The fee for 2018 is \$6,027.00.

Introduced by Leirion Gaylor Baird

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

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 48TH AND A STREETS - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-90837 WHEREAS, Bryan Medical Center has submitted an application designated as Special Permit No. 1219N 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 48th and A Streets, and legally described as:

Lots 116, 117, and 259 of Irregular Tracts in the Northwest Quarter of the Northeast Quarter of Section 32, Township 10 North, Range 7 East of the 6th P.M., Lincoln, Lancaster County, Nebraska; Lot 1, Bryan East Addition, Lots 1-33, inclusive, Block 3, Shurtleff's Piedmont Park; the vacated portion of Washington and Everett Streets west of the west line of Lot 1, Bryan East Addition, including the cul-de-sac at the west intersection of said streets, a triangle area of property bounded on the east by the west property line of Lot 1, Bryan East Addition, Everett Street on the south and Washington Street on the north, the vacated portion of 51st Street from the north line of Summer Street to the south line of Lot 1, Bryan East Addition; and Lots 1-24, inclusive, Block 6, Shurtleff's Piedmont Park, all property being in Lincoln, Lancaster County, Nebraska;

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

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

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

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

1. This permit approves a campus sign plan including 5 new wall signs at 200 square feet or less, 1 new wall sign at 150 square feet with a wall sign up to 200 square feet allowed on the north façade of the Falkner Building in addition to the existing 100 square foot Bryan Heart sign and a new wall sign up to 200 square feet allowed for the "5055 Building" in addition to a proposed new 150 square foot wall sign that will be for the Bryan Health logo, along with additional freestanding, directional, and marquee signs as depicted on the Bryan Health-East Campus Signage Plan.

2. Before receiving building permits:

a. The Permittee shall cause to be prepared and submitted to the Planning Department a revised site plan including 3 copies with all required revisions as listed below:

- i. Sheet 1: Change the label to Bryan Health-East Campus Signage Plan Special Permit #1219N Sheet 1 of 1.
- ii. Sheet 1: Delete the note regarding the landscape plan.

- iii. Sheet 1: Add note that freestanding sign exact locations subject to verification for sight triangle distance compliance at time of sign permit.
- iv. Sheet 1: Add legal description, north arrow, scale.
- b. Provide verification from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.
3. Before occupying the building, all development and construction shall substantially comply with the approved plans.
4. The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters must be in substantial compliance with the location of said items as shown on the approved site plan.
5. The terms, conditions, and requirements of this resolution shall run with the land and be binding on the Permittee, its successors, and assigns.
6. The Permittee shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the special permit. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee. Building permits will not be issued unless the letter of acceptance has been filed.

Introduced by Leirion Gaylor Baird

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

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 - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-90838 WHEREAS, Campbell, LLC has submitted an application designated as Pre-Existing Use Permit No. 3AH to amend the boundary of the Gateway Mall Use Permit by adding the property at 6400 Q Street 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, and legally described as:

Lots 1, 2, 3, 4, & 5, Gateway Shopping Center Subdivision; Lots 1, 2, 3, and Outlot A, Q Place, except east part for street; Lot 256 of Irregular Tracts, except that part lying northwest of a line 40 feet east of the centerline of Cotner Boulevard and except parts in northwest and south for road; Lot 262 of Irregular Tracts except south part for road; Lot 263 of Irregular Tracts except south part for road; Lot 263 of Irregular Tracts except 544.35 square feet in south for street; Lot 265 of Irregular Tracts except 2,835.50 square feet in south part for road; Lot 266 of Irregular Tracts except the south portion of right-of-way of O Street; (Area H) Lot 163 of Irregular Tracts except 182.63 square feet in the southeast corner for street; (Area I) Lot 212 except 3,741 square feet for road in the southeast, all located in the South Half of Section 21, Township 10 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska;

WHEREAS, the real property adjacent to the area included within the site plan for this amendment to the pre-existing use permit will not be adversely affected; and

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

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

That the application of Campbell, LLC, hereinafter referred to as "Permittee", to amend Pre-Existing Use Permit No. 3 to amend the boundary of the Gateway Mall Use Permit by adding the property at 6400 Q Street, for 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 the property legally described above be and the same is hereby granted upon condition that operation of said development be in substantial compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves up to 300 dwelling units and 70,000 square feet of commercial space, or some combination thereof, with waivers to reduce required residential parking from 2 to 1.4 stalls per unit as long as no more than 40% of the units have more than one bedroom and to increase allowable height from 40 feet to 55 feet provided that at least a 20 foot setback is provided on 66th Street and Q Street.
2. Before receiving building permits:
 - a. The Permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including 3 copies with all required revisions as listed below:
 - i. Show NRD easement and floodplain with cross sections and flood elevations to the satisfaction of Public Works Watershed Management.
 - b. Provide documentation that the letter of acceptance, as required by the approval of the special permit, has been recorded with the Register of Deeds.

**REGULAR MEETING
JANUARY 8, 2018
PAGE 228**

3. Prior to obtaining a building permit for new construction, the Permittee shall submit an administrative amendment with a grading plan for the area of construction.
4. Before occupying the buildings, all development and construction is to substantially comply with the approved plans.
5. The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters must be in substantial compliance with the location of said items as shown on the approved site plan.
6. This resolution's terms, conditions, and requirements run with the land and shall be binding upon the Permittee, its successors, and assigns.
7. The Permittee shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the use permit. The City Clerk shall file a copy of the resolution approving the use permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee. Building permits will not be issued unless the letter of acceptance has been filed.
8. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however the terms and conditions of all resolutions/ordinances approving previous permits shall remain in force and effect except as specifically amended by this resolution.

Introduced by Leirion Gaylor Baird

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

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 - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-90839

WHEREAS, Menard, Inc. has submitted an application designated as Use Permit No. 140F 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, and legally described as:

Lot 2, Block 1, Appian Way Addition, located in Section 23, Township 9 North, Range 7 East of the 6th P.M., Lincoln, Lancaster County, Nebraska.

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

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

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

That the application of Menard, Inc., hereinafter referred to as "Permittee", for a waiver to reduce the parking requirement for a home improvement store to one space per 500 square feet of floor area, on the property legally described above, be and the same is hereby granted upon condition that construction and operation be in substantial compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves a parking reduction to one space per 500 square feet of floor area for a home improvement store.
2. Before receiving building permits:
 - a. The Permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including 3 copies with all required revisions as listed below:
 - i. Revise Sheet 1 of the Appian Way use permit plan set to include the parking reduction for the subject property.
 - b. Provide documentation that the letter of acceptance, as required by the approval of the special permit, has been recorded with the Register of Deeds.
3. Before occupying the areas for expansion all development and construction is to substantially comply with the approved plans.
4. All privately-owned improvements, including landscaping and recreational facilities, are to be permanently maintained by the Permittee or an appropriately established homeowners association approved by the City.
5. The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters must be in substantial compliance with the location of said items as shown on the approved site plan.
6. The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors, and assigns.
7. The Permittee shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the special permit. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee. Building permits will not be issued unless the letter of acceptance has been filed.

8. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however, the terms and conditions of all resolutions approving previous versions of this permit shall remain in full force, except as specifically amended by this resolution.

Introduced by Leirion Gaylor Baird

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

PUBLIC HEARING ORDINANCES - 2ND READING & RELATED RESOLUTIONS - SEE BELOW

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 second time.

ANNEXATION 17023 – AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 21.16 ACRES OF PROPERTY GENERALLY LOCATED AT NORTHWEST 48TH 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 second 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 48TH AND WEST HOLDREGE 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 second 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 21ST 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 second 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 second time.

**REGULAR MEETING
JANUARY 8, 2018
PAGE 230**

ANNEXATION 17022 – AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 11 ACRES OF PROPERTY GENERALLY LOCATED AT SOUTH 84TH 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 part of the City of Lincoln, Nebraska and amending the Corporate Limits Map attached to and made a part of Ordinance No. 18208, to reflect the extension of the corporate limits boundary of the City of Lincoln, Nebraska established and shown thereon, the second time.

CHANGE OF ZONE 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 84TH 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 second time.

ORDINANCES - 3RD READING & RELATED RESOLUTIONS

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 third time.

ESKRIDGE Moved to pass ordinance as read.

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

The ordinance, being numbered #20612, is recorded in Ordinance Book 34.

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 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 third time.

ESKRIDGE Moved to pass ordinance as read.

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

The ordinance, being numbered #20613, is recorded in Ordinance Book 34.

RESOLUTIONS - 1ST READING

APPROVING A CONTRACT BETWEEN THE CITY OF LINCOLN AND ROCHESTER ARMORED CAR FOR ARMORED CAR SERVICES, PURSUANT TO BID NO. 17-290, FOR A FOUR YEAR TERM WITH THE OPTION TO RENEW FOR ONE ADDITIONAL FOUR YEAR TERM. (*CONSENT*)

REAPPOINTING GENE CRUMP TO THE NEBRASKA CAPITOL ENVIRONS COMMISSION FOR A TERM EXPIRING JANUARY 9, 2021. (*CONSENT*)

AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE STATE OF NEBRASKA DEPARTMENT OF TRANSPORTATION (NDOT) SO THAT FEDERAL FUNDS MAY BE USED FOR CONSTRUCTION AND CONSTRUCTION ENGINEERING OF THE TRAFFIC SIGNAL REPLACEMENT PROJECT AT 48TH AND HIGHWAY 2. PROJECT NO. LCLC-5239(9), CN 13253. (*CONSENT*)

APPROVING BODEGA'S ALLEY AS A KENO SATELLITE AT 1418 O STREET.

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF DECEMBER 1-31, 2017.

APPROVING AN OPERATING AGREEMENT BETWEEN THE CITY OF LINCOLN ON BEHALF OF THE PARKS AND RECREATION DEPARTMENT AND FRIENDS OF WOODS TENNIS, INC. GOVERNING THE ONGOING OPERATION OF THE NEW WOODS TENNIS CENTER FACILITY FOR A TEN YEAR TERM.

NAMING THE NEW DOG RUN AT PETERSON PARK AS “STRANSKY DOG RUN.”

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

TEXT AMENDMENT 17013 – AMENDING SECTIONS 26.15.030, 26.19.031, 27.60.020, 27.64.010, AND 27.65.070 OF THE LINCOLN MUNICIPAL CODE TO PROVIDE PROVISIONS TO IMPLEMENT COMPUTER-AIDED-DESIGN (CAD) STANDARDS FOR PRELIMINARY PLATS, FINAL PLATS, USE PERMITS, COMMUNITY UNIT PLANS, AND PLANNED UNIT DEVELOPMENTS; AND REPEALING SECTIONS 26.15.030, 26.19.031, 27.60.020, 27.64.010, AND 27.65.070 AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Jane Raybould, amending Sections 26.15.030, 26.19.031, 27.60.020, 27.64.010, and 27.65.070 of the Lincoln Municipal Code to provide provisions to implement Computer-Aided- Design (CAD) Standards for Preliminary Plats, Final Plats, Use Permits, Community Unit Plans, and Planned Unit Developments; and repealing Sections 26.15.030, 26.19.031, 27.60.020, 27.64.010, and 27.65.070 as hitherto existing, the first time.

CHANGE OF ZONE 17036 – APPLICATION OF LINCOLN FEDERAL BANCORP, INC. C/O LEO SCHUMACHER FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT SOUTH 33RD STREET AND WILDERNESS HILLS BOULEVARD - CLERK read an ordinance, introduced by Jane Raybould, amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the first time.

AMENDING SECTION 25.06.220 EXAMINATION AND REGISTRATION FEE OF THE LINCOLN MUNICIPAL CODE TO DECREASE THE EXAMINATION FEES FOR MASTER MECHANICAL CONTRACTOR AND JOURNEYMAN MECHANICAL TECHNICIAN; AND REPEALING SECTION 25.06.220 AS HITHERTO EXISTING - CLERK read an ordinance, introduced by Jane Raybould, amending Chapter 25.06 of the Lincoln Municipal Code entitled “Lincoln Mechanical Code” by amending Section 25.06.220 Examination and Registration Fee to decrease the examination fees for master mechanical contractor and journeyman mechanical technician; and repealing Section 25.06.220 of the Lincoln Municipal Code as hitherto existing, the first time.

APPROVING THE CITY CENTRE REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF LINCOLN AND CITY CENTRE LINCOLN, LLC RELATING TO THE REDEVELOPMENT OF PROPERTIES GENERALLY LOCATED ON BLOCK 34, BOUNDED BY 9TH AND 10TH STREETS AND P AND Q STREETS, AND ADJACENT RIGHTS OF WAY IN GREATER DOWNTOWN LINCOLN. (RELATED ITEMS: 18R-7, 18R-6, 18-5) (ACTION DATE: 1/29/18)

AMENDING THE FY 17-18 CIP TO AUTHORIZE AND APPROPRIATE \$15,000,000.00 IN TIF FUNDS FOR THE CITY CENTRE PROJECT. (RELATED ITEMS: 18R-7, 18R-6, 18-5) (ACTION DATE: 1/29/18)

AUTHORIZING THE ISSUANCE OF TAX ALLOCATION BONDS FOR THE CITY CENTRE REDEVELOPMENT PROJECT. (RELATED ITEMS: 18R-7, 18R-6, 18-5) - CLERK read an ordinance, introduced by Jane Raybould, 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 \$15,000,000.00 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 City Centre 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.

ANNEXATION 17007 – AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 70.01 ACRES OF PROPERTY GENERALLY LOCATED AT O AND NORTH 112TH STREETS. (RELATED ITEMS: 18-2, 18R-11, 18-3, 18R-3) - CLERK read an ordinance, introduced by Jane Raybould, annexing and including the below described land as part of the City of Lincoln, Nebraska and amending the Corporate Limits Map attached to and made a part of Ordinance No. 18208, to reflect the extension of the corporate limits boundary of the City of Lincoln, Nebraska established and shown thereon, the first time.

**REGULAR MEETING
JANUARY 8, 2018
PAGE 232**

APPROVING AN ANNEXATION AGREEMENT FOR DOMINION AT STEVENS CREEK AMONG THE CITY OF LINCOLN, NEBRASKA, LEWIS-STAROSTKA, INC., LEWIS-STAROSTKA, LLC, AND JAMES BUEL, REGARDING THE CITY OF LINCOLN'S ANNEXATION OF PROPERTY GENERALLY LOCATED NORTHWEST OF THE INTERSECTION OF NORTH 112TH STREET AND O STREET. (RELATED ITEMS: 18-2, 18R-11, 18-3, 18R-3) (ACTION DATE: 1/29/18)

CHANGE OF ZONE 17015 – APPLICATION OF STAROSTKA-LEWIS, LLC, LEWIS STAROSTKA, INC., AND JAMES M. BUEL FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT AND O-3 OFFICE PARK DISTRICT ON PROPERTY GENERALLY LOCATED AT O AND NORTH 112TH STREETS. (RELATED ITEMS: 18-2, 18R-11, 18-3, 18R-3) - CLERK read an ordinance, introduced by Jane Raybould, amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the first time.

SPECIAL PERMIT NO. 17022 – APPEAL OF MARK HUNZEKER FROM THE PLANNING COMMISSION'S APPROVAL OF A SPECIAL PERMIT TO ALLOW DOMINION AT STEVENS CREEK COMMUNITY UNIT PLAN FOR UP TO 433 RESIDENTIAL DWELLING UNITS INCLUDING SINGLE-FAMILY UNITS AND TOWNHOME UNITS, WITH REQUESTED WAIVERS, ON PROPERTY GENERALLY LOCATED AT O AND NORTH 112TH STREETS. (RELATED ITEMS: 18-2, 18R-11, 18-3, 18R-3) (ACTION DATE: 1/29/18)

OPEN MICROPHONE - NONE

ADJOURNMENT

4:32 P.M.

CAMP Moved to adjourn the City Council Meeting of January 8, 2018.
 Seconded by Lamm & carried by the following vote: AYES: Camp, Christensen, Eskridge,
 Gaylor Baird, Lamm, Raybould, Shobe; NAYS: None.

Teresa J. Meier, City Clerk

Rhonda M. Bice, Office Specialist