

**THE MINUTES OF THE CITY COUNCIL MEETING HELD  
MONDAY, JUNE 30, 2014 AT 5:30 P.M.**

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

Council Chair Emery 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**

Christensen Having been appointed to read the minutes of the City Council proceedings of June 23, 2014, reported having done so, found same correct.

Seconded by Eskridge and carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers; NAYS: None; ABSENT: Cook, Gaylor Baird.

**PUBLIC HEARING**

APPLICATION OF CASHNOBB FOOD LLC DBA SAM & LOUIE'S NEW YORK PIZZERIA FOR A CLASS I  
L LIQUOR LICENSE AT 1501 PINE LAKE ROAD;

MANAGER APPLICATION OF RANDY L. CASH FOR CASHNOBB FOOD LLC DBA SAM & LOUIE'S NE  
YORK PIZZERIA AT 1501 PINE LAKE ROAD - Randy Cash, 10900 W. Haines, Denton, NE, came  
forward to take the oath and answer questions. He stated that the restaurant is open for business and already  
had a "friends and family" night, with proceeds going to YMCA Youth Sports. In answer to Council  
questions, he stated that a vestibule and party room were added to the location, and catering is also now  
available.

This matter was taken under advisement.

ANNEXATION 14003 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING  
APPROXIMATELY 34 ACRES GENERALLY LOCATED AT S. 63RD ST. AND YANKEE HILL RD;  
CHANGE OF ZONE 04075E - AMENDING THE VILLAGE GARDENS PLANNED UNIT DEVELOPMENT BY  
EXPANDING THE BOUNDARY BY APPROXIMATELY 34 ACRES; FOR A CHANGE OF ZONE  
FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT PUD; FOR A PLANNED  
UNIT DEVELOPMENT DISTRICT DESIGNATION OF SAID PROPERTY; AND FOR A  
DEVELOPMENT PLAN WHICH PROPOSES MODIFICATIONS TO THE ZONING ORDINANCE  
AND LAND SUBDIVISION ORDINANCE TO ALLOW AN ELDERLY AND RETIREMENT  
HOUSING FACILITY AND AN ADDITIONAL 92 SINGLE-FAMILY DWELLING LOTS ON THE  
UNDERLYING R-3 ZONED AREA, ON PROPERTY GENERALLY LOCATED AT S. 63RD ST. AND  
YANKEE HILL RD - Danay Kalkowski, Seacrest and Kalkowski, 1111 Lincoln Mall, came forward on  
behalf of her clients to state that the requested annexation and changes to the PUD are just a continuation of  
the Village Gardens development as it has moved south. One difference is the senior living facility on the  
site, which is a good transitional use. All staff conditions have been accepted. After submittal, a notice was  
received from the Health Department regarding a 221 foot hazard which exists due to a high pressure  
gasline. That wiped out four lots, so another use is being investigated for that area. When developers buy  
land, there is no notice of these types of hazards. If it is in the public right-of-way, with no easements or  
anything on the books indicating what is allowed or not allowed, developers really do not find out about the  
situation until after the whole area is planned and then suddenly there is a condition on approval. If these  
conditions are more like regulations, there should be more dialogue from all sides weighing in on this.  
Discussion followed.

This matter was taken under advisement.

COMP. PLAN AMENDMENT 14003 - AMENDING THE 2040 LINCOLN-LANCASTER COUNTY  
COMPREHENSIVE PLAN TO ADOPT THE LINCOLN WATER SYSTEM FACILITIES MASTER  
PLAN - Steve Owen, Public Works & Engineering, came forward to state that this is a water master plan to  
guide the management of water supplies to serve the City of Lincoln for the next fifty years. The detailed  
planning effort is done every ten years, with an intermediate update every five years. The master plan is a  
requirement of bond covenants, and rating agencies want to have a good feeling that the City is adequately  
planning facilities and spending money wisely. Fundamentally, the plan is to plan to make sure that there is  
an adequate source of water, adequate treatment capacity, that it can be transmitted to the City, and then  
distributed to customers. It also considers the renewal and replacement of infrastructure. Four key  
recommendations emerged. The first is that Ashland has adequate capacity until 2040 with the three  
horizontal wells, and the upcoming addition of a fourth. Next, the plan recommends the gradual increase in  
expenditures for the water main replacement program to replace seven miles per year, instead of the current  
four miles. A third recommendation is to consider going to the Missouri River as a secondary source of  
water supply. Operations would need to be in place by 2045. It comes at considerable expense. The fourth  
component of the plan considers the financial feasibility of the plan. They will likely not be without some

increases in revenues above inflationary increase. With the Missouri River prospect, the financial feasibility becomes more challenging. It is possible this plan could prompt discussion for some type of regional approach for water supply. Discussion followed.

Russell Miller, 341 S. 52<sup>nd</sup> St., came forward to state that he is in favor of the master plan but would like to see it amended so that it requires ten miles of water main lines be replaced each year. Right now it is an "out of sight, out of mind" issue that seems to get pushed off with each budget cycle. The 2007 master plan recommended the replacement of 7.7 miles of line per year. Most of revenue was used to fulfill the needs created by the high growth rate that occurred at that time, which resulted in the replacement of only about 2 miles on average per year. During times of minor growth, existing infrastructure is provided for more thoroughly. The plan also identifies 300 miles of a certain type of pipe that was laid between approximately 1948 and 1972 which is not holding up well, and could potentially fail. Although ten miles would be stretching what the water system do, it is worth doing.

Steve Owen returned to answer Council questions. He stated the City tracks the average cumulative life of water mains as they are replaced. Right now the average is around seventy to seventy-five years. There are examples of replacement projects that occurred on water mains that were initially installed much more recently. Several renewal and replacement alternatives have been discussed. Discussion followed.

This matter was taken under advisement.

**APPROVING A REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF LINCOLN AND KFA 1208, LLC FOR THE RENOVATION OF THE THIRD AND FOURTH FLOORS OF THE EXISTING STRUCTURE AT 1208 O ST -** David Landis, Director of Urban Development, came forward to state this project received unanimous approval from both the Planning Commission and the Urban Design Committee. The project area is the old Dietze building on O Street. The funds will be spent on facade improvements, energy efficiency windows, and the creation of an outdoor gallery and roof space. The cost is approximately 1.2 million from the developer, and the City portion is \$143,000. The redevelopment agreement and the underlying bond authority are proceeding on different schedules. The developer needs to get the appropriate base year to generate TIF funds over time, so the redevelopment agreement needs to be in the hands of the Assessor by August 1, 2014. Discussion followed.

Derek Zimmerman, Baylor Evnen, 1248 O St., Ste. 600, came forward on behalf of developer to state the rooftop is really meant for public use, including First Fridays. It will also be available for City leasing ten to twelve times per year. With the multiple floors and fire exits, the capacity gets tricky to predict, but it is estimated now that it will be around fifty. Mr. Zimmerman offered thanks to City staff because this project has been moving quickly. In answer to Council questions, he stated that the public/private use arrangement lasts throughout the lifespan of the redevelopment agreement, so fifteen years. Discussion followed.

Mr. Landis returned to state that the agreement states that the public/private arrangement is for the life of the space, so that is unique and not a condition you would find normally with a TIF arrangement.

This matter was taken under advisement.

## **COUNCIL ACTION**

### **REPORTS OF CITY OFFICERS**

**REAPPOINTING EMILY CASPER, LUANN FINKE, AND SCOTT E. HOFELING TO THE COMMUNITY FORESTRY ADVISORY BOARD FOR A TERM EXPIRING AUGUST 14, 2017 -** CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-88349

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

That the reappointment of Emily Casper, Luann Finke and Scott E. Hofeling to the Community Forestry Advisory Board for a term expiring August 14, 2017, is hereby approved.

Introduced by Jon Camp

Seconded by Eskridge and carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers; NAYS: None; ABSENT: Cook, Gaylor Baird.

**REAPPOINTING KATHLEEN NEARY, RICK POORE AND DONALD R. STADING TO THE CHARTER REVISION COMMISSION FOR A TERM EXPIRING JULY 15, 2018 -** CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-88350

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

That the reappointment of Kathleen Neary, Rick Poore and Donald R. Stading to the Charter Revision Commission for a term expiring July 15, 2018, is hereby approved.

Introduced by Jon Camp

Seconded by Eskridge and carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers; NAYS: None; ABSENT: Cook, Gaylor Baird.

REAPPOINTING HEATHER BAKER, ROGER (R.J.) LIPERT AND RUSSELL F. MILLER TO THE ALARM REVIEW BOARD FOR A TERM EXPIRING JULY 1, 2016 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-88351 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:  
That the reappointment of Heather Baker, Roger (R.J.) Lipert and Russell F. Miller to the Alarm Review Board for a term expiring July 1, 2016, is hereby approved.  
Seconded by Eskridge and carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers; NAYS: None; ABSENT: Cook, Gaylor Baird.

REAPPOINTING PAUL BARNETT, STEVEN EGGLAND, JOHN NEAL TO THE TELECOMMUNICATION/CABLE TELEVISION ADVISORY BOARD FOR A TERM EXPIRING JULY 1, 2017 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-88352 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:  
That the reappointment of Paul Barnett, Steven Egglan, and John Neal to the Telecommunication/Cable Television Advisory Board for a term expiring July 1, 2017, is hereby approved.  
Seconded by Eskridge and carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers; NAYS: None; ABSENT: Cook, Gaylor Baird.

APPOINTING SHERRIE NELSON TO THE PARKS AND RECREATION ADVISORY BOARD FOR A TERM EXPIRING APRIL 27, 2015 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-88353 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:  
That the appointment of Sherrie Nelson to the Parks and Recreation Advisory Board for a term expiring April 27, 2015, is hereby approved.  
Seconded by Eskridge and carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers; NAYS: None; ABSENT: Cook, Gaylor Baird.

APPOINTING OLIVE MARTIN AND EMILY GRAUL TO THE PARKS AND RECREATION ADVISORY BOARD FOR A TERM EXPIRING JUNE 1, 2015 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption:

A-88354 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:  
That the appointment of Olive Martin and Emily Graul to the Parks and Recreation Advisory Board for a term expiring June 1, 2015, is hereby approved.  
Seconded by Eskridge and carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers; NAYS: None; ABSENT: Cook, Gaylor Baird.

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTIONS AND ORDINANCES PASSED BY THE CITY COUNCIL ON JUNE 16, 2014 - 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 BUSINESS MAY 31, 2014 - CLERK presented said report which was placed on file in the office of the City Clerk. (5-21)

LINCOLN ELECTRIC SYSTEM'S FINANCIAL & OPERATING STATEMENT FOR MAY, 2014 (40)

### PETITIONS & COMMUNICATIONS

SETTING THE HEARING DATE OF MON., JULY 14, 2014 AT 3:00 P.M. FOR THE MANAGER APPLICATION OF JOSHUA GILBERT FOR SUNMART 731 AT 2600 S. 48<sup>TH</sup> ST. & SUNMART 738 AT 2145 S. 17<sup>TH</sup> ST - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-88355 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, July 14, 2014, 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 Joshua Gilbert for Sunmart 731 at 2600 S. 48<sup>th</sup> St. and Sunmart 738 at 2145 S. 17<sup>th</sup> St.

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

Introduced by Roy Christensen

Seconded by Eskridge and carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers; NAYS: None; ABSENT: Cook, Gaylor Baird.

SETTING THE HEARING DATE OF MON., JULY 14, 2014 AT 3:00 P.M. FOR THE APPLICATION OF TP LINCOLN, LLC DBA TWIN PEAKS FOR A CLASS C W/ CATERING LIQUOR LICENSE AT 800 Q ST - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-88356 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, July 14, 2014, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers,

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County-City Building, 555 S. 10th St., Lincoln, NE for the Application of TP Lincoln, LLC dba Twin Peaks for a Class C w/ Catering Liquor License at 800 Q St.

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

Introduced by Roy Christensen

Seconded by Eskridge and carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers; NAYS: None; ABSENT: Cook, Gaylor Baird.

SETTING THE HEARING DATE OF MON., JULY 14, 2014 AT 3:00 P.M. FOR THE APPLICATION OF ALDI INC DBA ALDI #25 FOR A CLASS D LIQUOR LICENSE AT 8350 O ST - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-88357 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, July 14, 2014, 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 Aldi Inc dba Aldi #25 for a Class D Liquor License at 8350 O St.

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

Introduced by Roy Christensen

Seconded by Eskridge and carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers; NAYS: None; ABSENT: Cook, Gaylor Baird.

SETTING THE HEARING DATE OF MON., JULY 14, 2014 AT 3:00 P.M. FOR THE APPLICATION OF ALDI INC DBA ALDI #27 FOR A CLASS D LIQUOR LICENSE AT 8701 S 28<sup>TH</sup> ST - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-88358 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, July 14, 2014, 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 Aldi Inc dba Aldi #27 for a Class D Liquor License at 8701 S. 28<sup>th</sup> St.

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

Introduced by Roy Christensen

Seconded by Eskridge and carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers; NAYS: None; ABSENT: Cook, Gaylor Baird.

SETTING THE HEARING DATE OF MON., JULY 14, 2014 AT 3:00 P.M. FOR THE APPLICATION OF ZIPLINE BREWING CO. DBA ZIPLINE BREWING CO. FOR CLASS A & CLASS B LIQUOR LICENSES W/ CATERING AT 2100 MAGNUM CIRCLE - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-88359 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, July 14, 2014, 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 Zipline Brewing Co. dba Zipline Brewing Co. for Class A & Class B Liquor Licenses w/ Catering at 2100 Magnum Circle.

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

Introduced by Roy Christensen

Seconded by Eskridge and carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers; NAYS: None; ABSENT: Cook, Gaylor Baird.

SETTING THE HEARING DATE OF MON., JULY 14, 2014 AT 3:00 P.M. FOR THE APPLICATION OF SALT VALLEY SPIRITS LLC DBA SALT VALLEY SPIRITS FOR A CLASS Z (MICRODISTILLERY) LIQUOR LICENSE AT 500 W. SOUTH ST., SUITE 8 - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-88360 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, July 14, 2014, 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 Salt Valley Spirits LLC dba Salt Valley Spirits for a Class Z Liquor License at 500 W. South Street, Suite 8.

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

Introduced by Roy Christensen

Seconded by Eskridge and carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers; NAYS: None; ABSENT: Cook, Gaylor Baird.

SETTING THE HEARING DATE OF MON., JULY 14, 2014 AT 3:00 P.M. FOR THE APPLICATION OF JAMES ARTHUR VINEYARDS LLC DBA JAMES ARTHUR VINEYARDS TASTING OUTLET/FROM NEBRASKA GIFT SHOP TO EXPAND THEIR EXISTING CLASS YC LIQUOR LICENSE TO NOW INCLUDE AN IRREGULAR SHAPED OUTDOOR AREA MEASURING APPROX. 80' X 12' X 18' AT 803 Q ST - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-88361 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, July 14, 2014, 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 James Arthur Vineyards LLC dba James Arthur Vineyards Tasting Outlet/From Nebraska Gift Shop to expand their existing Class YC Liquor License to now include an irregular shaped outdoor area measuring approx. 80' x 12' x 18' at 803 Q St.  
If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Roy Christensen

Seconded by Eskridge and carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers; NAYS: None; ABSENT: Cook, Gaylor Baird.

SETTING THE HEARING DATE OF MON., JULY 14, 2014 AT 3:00 P.M. FOR THE APPLICATION OF CANOPY CONCEPTS LLC DBA JACK & JUNE TO EXPAND THEIR EXISTING CLASS C LIQUOR LICENSE TO MODIFY THE OUTDOOR AREA FROM 8' X 12' AND MEZZANINE TO 8' X 66' X 62' AND MEZZANINE AT 300 CANOPY ST., SUITE 150 - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-88362 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, July 14, 2014, 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 Canopy Concepts LLC dba Jack & June to expand their existing Class C Liquor License to modify the outdoor area FROM 8' x 12' and mezzanine TO 8' x 66' x 62' and mezzanine at 300 Canopy St., Suite 150.

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

Introduced by Roy Christensen

Seconded by Eskridge and carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers; NAYS: None; ABSENT: Cook, Gaylor Baird.

SETTING THE HEARING DATE OF MON., JULY 21, 2014 AT 3:00 P.M. FOR THE APPLICATION OF ONE FAMILY LLC DBA ALSULTAN LOUNGE FOR A CLASS CCB (CIGAR BAR) LIQUOR LICENSE AT 1637 P ST., SUITE F - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-88363 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, July 21, 2014, 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 One Family LLC dba Alsultan Lounge for a Class CCB (Cigar Bar) Liquor License at 1637 P St., Suite F.

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

Introduced by Roy Christensen

Seconded by Eskridge and carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers; NAYS: None; ABSENT: Cook, Gaylor Baird.

SETTING THE HEARING DATE OF MON., JULY 21, 2014 AT 3:00 P.M. FOR THE APPLICATION OF ARENA INC DBA THE FOXY, HOLDER OF A CLASS C LIQUOR LICENSE, FOR RECONSTRUCTION OF THEIR EXISTING ESTABLISHMENT AT 1823 O ST - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-88364 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, July 21, 2014, 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 Arena Inc dba The Foxy, holder of a Class C Liquor License, for reconstruction of their existing establishment at 1823 O St.

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

Introduced by Roy Christensen

Seconded by Eskridge and carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers; NAYS: None; ABSENT: Cook, Gaylor Baird.

SETTING THE HEARING DATE OF MON., JULY 14, 2014 AT 3:00 P.M. FOR THE MANAGER APPLICATION OF AMY DICKERSON FOR LANCASTER EVENT CENTER AT 4100 N. 84<sup>TH</sup> ST - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption:

A-88365 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, July 21, 2014, 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 Amy Dickerson for Lancaster Event Center at 4100 N. 84<sup>th</sup> St.

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

Introduced by Roy Christensen

Seconded by Eskridge and carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers; NAYS: None; ABSENT: Cook, Gaylor Baird.

PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:

Administrative Amendment No. 14015 to Special Permit No. 08034, Whispering Meadows Community Unit Plan, requested by Aspen Builders, approved by the Planning Director on June 18, 2014, to adjust lot lines and add 2 additional single family lots; place the pedestrian easement in an outlot; adjust the grading and drainage plan removing all lots from the flood plain; relocate the access easement to Outlot A; revise general note #2 to state that setbacks are per the zoning district; and rescind Special Permit No. 08034A so that the conditions of Special Permit No. 08034 apply instead. Property is generally located at S.W. 27<sup>th</sup> St. and West "A" St.

### **LIQUOR RESOLUTIONS**

APPLICATION OF CASHNOBB FOOD LLC DBA SAM & LOUIE'S NEW YORK PIZZERIA FOR A CLASS I LIQUOR LICENSE AT 1501 PINE LAKE ROAD - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88366 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 CashNobb Food LLC dba Sam & Louie's New York Pizzeria for a Class "I" liquor license at 1501 Pine Lake Road, Lincoln, Nebraska, for the license period ending April 30, 2015, 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 Fellers and carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers; NAYS: None; ABSENT: Cook, Gaylor Baird.

MANAGER APPLICATION OF RANDY L. CASH FOR CASHNOBB FOOD LLC DBA SAM & LOUIE'S NEW YORK PIZZERIA AT 1501 PINE LAKE ROAD - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88367 WHEREAS, CashNobb Food LLC dba Sam & Louie's New York Pizzeria located at 1501 P Lake Road, Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that Randy L. Cash be named manager;

WHEREAS, Randy L. Cash 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 Randy L. Cash 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 Fellers and carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers; NAYS: None; ABSENT: Cook, Gaylor Baird.

### **ORDINANCES - 2<sup>ND</sup> READING & RELATED RESOLUTIONS (as required)**

ANNEXATION 14003 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 34 ACRES GENERALLY LOCATED AT S. 63RD ST. AND YANKEE HILL RD - CLERK read an ordinance, introduced by Jon Camp, 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 04075E - AMENDING THE VILLAGE GARDENS PLANNED UNIT DEVELOPMENT BY EXPANDING THE BOUNDARY BY APPROXIMATELY 34 ACRES; FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT PUD; FOR A PLANNED UNIT DEVELOPMENT DISTRICT DESIGNATION OF SAID PROPERTY; AND FOR A DEVELOPMENT PLAN WHICH PROPOSES MODIFICATIONS TO THE ZONING ORDINANCE AND LAND SUBDIVISION ORDINANCE TO ALLOW AN ELDERLY AND RETIREMENT HOUSING FACILITY AND AN ADDITIONAL 92 SINGLE-FAMILY DWELLING LOTS ON THE UNDERLYING R-3 ZONED AREA, ON PROPERTY GENERALLY LOCATED AT S. 63RD ST. AND YANKEE HILL RD. (RELATED ITEMS: 14-76, 14-77) - CLERK read an ordinance, introduced by Jon

Camp, 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.

**PUBLIC HEARING - RESOLUTIONS**

COMP. PLAN AMENDMENT 14003 - AMENDING THE 2040 LINCOLN-LANCASTER COUNTY COMPREHENSIVE PLAN TO ADOPT THE LINCOLN WATER SYSTEM FACILITIES MASTER PLAN - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88368 WHEREAS, the Planning Director, on behalf of the Public Works and Utilities Department, has made application to amend the 2040 Lincoln-Lancaster County Comprehensive Plan to adopt the Lincoln Water System Facilities Master Plan; and

WHEREAS, the Lincoln City - Lancaster County Planning Commission has recommended approval of the requested amendment.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska that the 2040 Lincoln-Lancaster County Comprehensive Plan be and the same is hereby amended in the following manner:

1. Amend the 2040 Lincoln-Lancaster County Comprehensive Plan as follows:
  - a. Amend the following text on pages 11.7-11.9, Energy and Utilities to read as follows:

The existing water system is made up of more than 1,240 miles of water distribution mains. Pipes providing service to customers range in size from 4" to 16" in diameter and total ~~4,080~~ 1,100 miles. There are also 160 miles of transmission and transfer mains which range from 24" to 54" in diameter.

The Public Works and Utilities Department completed the Lincoln Water System Facilities Master Plan in 200713. The plan is a guide for short term and long term improvements to the infrastructure of the Lincoln Water System during the planning period. The Lincoln Water System Facilities Master Plan was adopted as a subarea plan in 200714 (see Plan Realization chapter). The projected maximum day water demand for year 2040 is 141 million gallons per day (MGD), and for 2060 is ~~20175~~ MGD based on the assumed population growth rate of 1.2% per year. Additional supply, treatment, and transmission improvements will be necessary to meet these growing demands. The well fields currently owned by the Lincoln Water System have a projected maximum capacity approximately equal to the projected need ~~for the year by 2040 to 2050~~. Additional well field property and water rights will need to be acquired in the planning period to meet these demands, and a financial plan adopted to fund such a project.

- b. Amend the following text on page 12.16, Plan Realization under "Subarea Planning" to read as follows:

Lincoln Water System Facilities Master Plan ~~Update~~, Public Works and Utilities Department; ~~April June~~, 200714.

BE IT FURTHER RESOLVED that all other maps, figures, and plans where the land use map is displayed and other references in said plan which may be affected by the above-specified amendment be, and they hereby are amended to conform with such specific amendments.

Introduced by Jon Camp

Seconded by Eskridge and carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers; NAYS: None; ABSENT: Cook, Gaylor Baird.

APPROVING A REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF LINCOLN AND KFA 1208, LLC FOR THE RENOVATION OF THE THIRD AND FOURTH FLOORS OF THE EXISTING STRUCTURE AT 1208 O ST - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88369 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the attached City of Lincoln Redevelopment Agreement for 1208 O Street, between the City of Lincoln, Nebraska and KFA 1208, LLC relating to the redevelopment of property generally located at 1208 O Street, upon the terms and conditions set forth in said Redevelopment Agreement, which is attached hereto marked as Attachment "A", is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

The City Clerk is directed to transmit one fully executed original and one copy of said Agreement to Ernesto Castillo, Urban Development Department. The Real Estate Division is directed to record the following documents (i) Memorandum of Redevelopment and the Use Restriction, and (ii) Building Maintenance and Public Access Agreement with the Register of Deeds, recording fees to be reimbursed from the TIF Proceeds. Ernesto Castillo is directed to transmit a copy of the Redevelopment Agreement to KFA 1208, LLC.

Introduced by Jon Camp

Seconded by Fellers and carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers; NAYS: None; ABSENT: Cook, Gaylor Baird.

FELLERS Moved to Reconsider Bill No. 14R-174.

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Seconded by Camp & carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers; NAYS: None; ABSENT: Cook, Gaylor Baird.  
CHRISTENSEN Moved MTA #1 to amend Bill No. 14R-174 by substituting pages numbered 6 and 10.  
Seconded by Fellers and carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers; NAYS: None; ABSENT: Cook, Gaylor Baird.  
FINAL VOTE AS AMENDED: AYES: Camp, Christensen, Emery, Eskridge, Fellers; NAYS: None; ABSENT: Cook, Gaylor Baird.

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF JUNE 1-15, 2014 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-88370 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:  
That the claims listed in the attached report, marked as Exhibit "A", dated June 2, 2014, of various new and pending tort claims filed against the City of Lincoln with the Office of the City Attorney or the Office of the City Clerk, as well as claims which have been disposed of, are hereby received as required by Neb. Rev. Stat. § 13-905 (Reissue 1997). The dispositions of claims by the Office of the City Attorney, as shown by the attached report, are hereby approved:

<u>DENIED CLAIM</u>		<u>ALLOWED/SETTLED CLAIMS</u>	
Vanessa Mendoza	\$340.00	Steven & Kerry Kotschwar	\$19,670.32
		Jacob Michel	1,100.00
<u>WITHDRAWN CLAIM</u>		Mary Lenz	1,773.96
Jeanen France	NAS*		

\* No Amount Specified

The City Attorney is hereby directed to mail to the various claimants listed herein a copy of this resolution which shows the final disposition of their claim.

Introduced by Jon Camp

Seconded by Fellers and carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers; NAYS: None; ABSENT: Cook, Gaylor Baird.

**ORDINANCES - 3<sup>RD</sup> READING & RELATED RESOLUTIONS (as required)**

TEXT AMENDMENT NO. 14004 – AMENDING SECTION 27.63.320 RELATING TO SPECIAL PERMITS TO ALLOW COMMUNITY UNIT PLANS IN THE R-7 AND R-8 ZONING DISTRICT BY SPECIAL PERMIT; AMENDING SECTION 27.65.020, COMMUNITY UNIT PLAN REQUIREMENTS, TO ALLOW COMMUNITY UNIT PLANS IN THE R-7 AND R-8 ZONING DISTRICTS AND PROVIDING FOR THE CALCULATION OF THE MAXIMUM PERMITTED DENSITY THEREOF; AMENDING THE CATCHHEAD OF SECTION 27.65.070 TO REFLECT ITS APPLICABILITY TO COMMUNITY UNIT PLANS IN THE R-7 AND R-8 ZONING DISTRICTS; AMENDING SECTION 27.65.090 RELATING TO PARKING WITHIN COMMUNITY UNIT PLANS TO ALLOW THE PLANNING COMMISSION TO MAKE CERTAIN MODIFICATIONS TO THE PARKING REQUIREMENTS SET FORTH IN CHAPTER 27.67; AMENDING SECTION 27.67.040 TO ESTABLISH THE PARKING REQUIREMENT FOR DWELLINGS FOR NONRELATED PERSONS FOR FOUR TO SIX PERSONS LIVING AS A SINGLE HOUSEKEEPING UNIT PERMITTED UNDER A COMMUNITY UNIT PLAN AS ONE SPACE PER RESIDENT; AND AMENDING SECTION 27.67.065 TO DELETE SPECIAL PARKING REQUIREMENTS FOR COMMUNITY UNIT PLANS. (RELATED ITEMS: 14-71, 14R-166) - CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending Title 27 of the Lincoln Municipal Code by amending Section 27.63.320 relating to special permits to allow community unit plans in the R-7 and R-8 zoning districts by special permit; amending Section 27.65.020 (Community Unit Plan Requirements) to allow community unit plans in the R-7 and R-8 zoning districts and providing for the calculation of the maximum permitted density thereof; amending the catchhead of Section 27.65.070 to reflect its applicability to community unit plans in the R-7 and R-8 zoning districts; amending Section 27.65.090 relating to parking within community unit plans to allow the Planning Commission to make certain modifications to the parking requirements set forth in Chapter 27.67; amending Section 27.67.040 to establish the parking requirement for Dwellings for Nonrelated Persons for four to six persons living as a single housekeeping unit permitted under a community unit plan as one space per resident; amending Section 27.67.065 to delete special parking requirements for community unit plans; and repealing Sections 27.63.320, 27.65.020, 27.65.070, 27.65.090, 27.67.040, and 27.67.065 of the Lincoln Municipal Code as hitherto existing, the third time.

CHRISTENSEN Moved to pass the ordinance as read.

Seconded by Eskridge and carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers; NAYS: None; ABSENT: Cook, Gaylor Baird.

The ordinance, being numbered **#20043**, is recorded in Ordinance Book #209, Page .

TEXT AMENDMENT 14005 – APPLICATION OF ELSEY PARTNERS TO AMEND CHAPTER 3.35 OF THE DESIGN STANDARDS FOR COMMUNITY UNIT PLANS TO PROVIDE MAXIMUM DENSITY STANDARDS FOR THE R-7 AND R-8 RESIDENTIAL ZONING DISTRICTS AND TO PROVIDE FOR THE CALCULATION OF A TOTAL MAXIMUM DENSITY AND MAXIMUM CLUSTER DENSITY

FOR DWELLING UNITS WHEN THE PROPERTY WITHIN THE BOUNDARIES OF A CUP INCLUDES PROPERTY LOCATED IN MORE THAN ONE RESIDENTIAL ZONING DISTRICT. (RELATED ITEMS: 14-71, 14R-166, 14R-164, 14-73) (ACTION DATE: 6/30/14) - CLERK read the following resolution, introduced by Leirion Gaylor Baird, moved by Roy Christensen:

A-88371 WHEREAS, the City of Lincoln has previously adopted the City of Lincoln Design Standards by Resolution No. A-80518; and

WHEREAS, an amendment to Section 1.1 of Chapter 3.35, Design Standards for Community Unit Plans, is necessary to provide maximum density standards for the R-7 and R-8 Residential Zoning Districts and to provide for the calculation of a total maximum density and maximum cluster density for dwelling units when the property within the boundaries of a C.U.P. includes property located in more than one residential zoning district.

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

That Section 1.1 "Maximum Density" of Chapter 3.35, Design Standards for Community Unit Plans, adopted by the City Council on November 6, 2000 by Resolution No. A-80518, be and the same is hereby amended as shown on Attachment "A" which is attached hereto and incorporated herein by reference.

Introduced by Leirion Gaylor Baird

Seconded by Fellers and carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers; NAYS: None; ABSENT: Cook, Gaylor Baird.

COMP. PLAN CONFORMANCE 14011 – APPROVING THE ANTELOPE VALLEY REDEVELOPMENT PLAN TO ADD THE "ELEVEN HUNDRED Y STREET PROJECT" FOR 126 DWELLING UNITS ON APPROXIMATELY 2.2 ACRES, GENERALLY LOCATED BETWEEN 10TH STREET ON THE WEST, Y STREET ON THE SOUTH, N. 12TH STREET ON THE EAST AND THE EAST/WEST ALLEY BETWEEN Y STREET AND CHARLESTON STREET ON THE NORTH. (RELATED ITEMS: 14-71, 14R-166, 14R-164, 14-73) (ACTION DATE: 6/30/14) - CLERK read the following resolution, introduced by Leirion Gaylor Baird, moved by Roy Christensen:

A-88372 WHEREAS, the City Council on July 21, 2003, adopted Resolution No. A-82222 finding an area generally bounded by C Street on the south, 17th Street on the west, the Burlington Northern Railroad on the north, and 28th Street on the east (comprising parts of the Near South, Woods Park, Malone, Clinton, Hawley, Hartley, and Downtown neighborhoods), and an area generally bounded by the Burlington Railroad on the south, Interstate 180 on the west, Salt Creek on the north, and 14th Street on the east (comprising the North Bottoms neighborhood) to be blighted and substandard as defined in the Nebraska Community Development Law (Neb. Rev. Stat. § 18-2101, et seq. as amended) and in need of redevelopment; and

WHEREAS, the City Council has previously adopted the Antelope Valley Redevelopment Plan and amendments thereto (hereinafter the "Antelope Valley Redevelopment Plan" or "Plan") including plans for various redevelopment projects within said blighted and substandard area in accordance with the requirements and procedures of the Nebraska Community Development Law; and now desires to modify said plan by establishing the "Eleven Hundred Y Street Project" for 126 dwelling units on approximately 2.2 acres on property generally located between 10th Street on the west, Y Street on the south, N. 12th Street on the east and the east/west alley between Y Street and Charleston Street on the north; and

WHEREAS, the Director of the Urban Development Department has filed with the City Clerk modifications to the Redevelopment Plan contained in the document entitled Antelope Valley Redevelopment Plan (Eleven Hundred Y Street Project) which is attached hereto, marked as Attachment "A", and made a part hereof by reference, and has reviewed said plan and has found that it meets the conditions set forth in Neb. Rev. Stat. § 18-2113 (Reissue 2012); and

WHEREAS, on May 16, 2014, a notice of public hearing was mailed postage prepaid to all registered neighborhood associations located in whole or in part within one mile radius of the area to be redeveloped setting forth the time, date, place and purpose of the public hearing to be held on May 28, 2014 before the Lincoln City - Lancaster County Planning Commission regarding the proposed Eleven Hundred Y Street Project, a copy of said notice and list of said registered neighborhood associations having been attached hereto as Attachment "B" and "C" respectively; and

WHEREAS, on June 6, 2014 a notice of public hearing was mailed postage prepaid to the foregoing registered neighborhood associations setting forth the time, date, place, and purpose of the public hearing before the City Council to be held on June 23, 2014 regarding the proposed Eleven Hundred Y Street Project, a copy of said notice having been attached hereto as Attachment "D"; and

WHEREAS, on June 6, 2014 and June 13, 2014 a Notice of Public Hearing was published in the Lincoln Journal Star newspaper, setting the time, date, place and purpose of the public hearing to be held on June 23, 2014 regarding the proposed Eleven Hundred Y Street Project for said blighted and substandard area, a copy of such notice having been attached hereto and marked as Attachment "E"; and

WHEREAS, said proposed Amendments to the Antelope Valley Redevelopment Plan to add the Eleven Hundred Y Street Project, have been submitted to the Lincoln-Lancaster County Planning Commission for review and recommendations, and said Planning Commission on May 28, 2013 found the Plan Amendments to be in conformance with the Comprehensive Plan and recommended approval thereof; and

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WHEREAS, on June 23, 2014 in the City Council chambers of the County-City Building, 555 South 10th Street, Lincoln, Nebraska, the City Council held a public hearing relating to the proposed modifications to the Redevelopment Plan and all interested parties were afforded at such public hearing a reasonable opportunity to express their views respecting said proposed modifications to the redevelopment plan; and

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

NOW, THEREFORE, IT IS FOUND AND DETERMINED by the City Council of the City of Lincoln, Nebraska as follows:

1. That the Eleven Hundred Y Street Project is described in sufficient detail and is designed with the general purpose of accomplishing a coordinated, adjusted and harmonious development of the City and its environs which will promote the general health, safety and welfare, sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of unsanitary or unsafe dwelling accommodations or conditions of blight.

2. That incorporating the Eleven Hundred Y Street Project into the Redevelopment Plan is feasible and in conformity with the general plan for the development of the City of Lincoln as a whole and said Plan is in conformity with the legislative declarations and determinations set forth in the Community Development Law.

3. That the substandard and blighted conditions in the Eleven Hundred Y Street Project area are beyond remedy and control solely by regulatory process and the exercise of police power and cannot be dealt with effectively by the ordinary operations or private enterprise without the aids provided by the Community Development law, specifically including Tax Increment Financing.

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

5. That the Eleven Hundred Y Street Project would not be economically feasible without the use of tax-increment financing.

6. That the costs and benefits of the redevelopment activities, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services have been analyzed by the City Council as the governing body for the City of Lincoln and have been found to be in the long-term best interest of the City of Lincoln.

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

1. That the document entitled "Antelope Valley Redevelopment Plan for the Eleven Hundred Y Street Project" attached hereto as Attachment "A", establishing and adding the Eleven Hundred Y Street Project, is hereby accepted and approved by the City Council as the governing body for the City of Lincoln.

2. That the Urban Development Director, or his authorized representative, is hereby authorized and directed to take all steps necessary to implement the provisions of said Redevelopment Plan as they relate to the above-described modifications.

3. That the Redevelopment Project Area for the Eleven Hundred Y Street Project as described and depicted in the Plan Amendments is the Redevelopment Project Area comprising the property to be included in the area subject to the tax increment provision authorized in the Nebraska Community Development Law.

4. That the Finance Director is hereby authorized and directed to cause to be drafted a submitted to the City Council any appropriate ordinances and documents needed for the authorization to provide necessary funds including Community Improvement Financing in accordance with the Community Development Law to finance related necessary and appropriate public acquisitions, improvements and other activities set forth in said Plan Amendment to the Antelope Valley Redevelopment Plan.

Introduced by Leirion Gaylor Baird

Seconded by Fellers and carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers; NAYS: None; ABSENT: Cook, Gaylor Baird.

CHANGE OF ZONE 14011 – APPLICATION OF ELSEY PARTNERS FOR A CHANGE OF ZONE FROM B-3 COMMERCIAL DISTRICT, R-4 RESIDENTIAL DISTRICT AND I-1 INDUSTRIAL DISTRICT TO R-8 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT NORTH 10TH STREET AND Y STREET. (RELATED ITEMS: 14-71, 14R-166, 14R-164, 14-73) - 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 third time. CHRISTENSEN Moved to pass the ordinance as read.

Seconded by Eskridge and carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers; NAYS: None; ABSENT: Cook, Gaylor Baird.

The ordinance, being numbered #20044, is recorded in Ordinance Book #209, Page .

APPROVING A STARTRAN TRANSPORTATION AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE BOARD OF REGENTS OF THE UNIVERSITY OF NEBRASKA TO EXPAND THE EXISTING TRANSIT SERVICE TO INCLUDE SERVICE FROM BOTH CAMPUSES TO INNOVATION CAMPUS FOR A TERM OF AUGUST 24, 2015 THROUGH AUGUST 14, 2020 - CLERK read an ordinance, introduced by Leirion Gaylor Baird, approving the StarTran Transportation Agreement between

the City of Lincoln and the Board of Regents of the University of Nebraska for expanded bus service in conjunction with the UNL Transportation Program to include service to Innovation Campus for a five year term beginning August 24, 2015, the third time.

CHRISTENSEN Moved to pass the ordinance as read.

Seconded by Eskridge and carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers; NAYS: None; ABSENT: Cook, Gaylor Baird.

The ordinance, being numbered #20045, is recorded in Ordinance Book #209, Page .

APPROVING A LEASE AGREEMENT BETWEEN THE CITY OF LINCOLN AND LOBO'S CITY MEX, INC. FOR THE LEASE OF PROPERTY GENERALLY LOCATED AT 344 NORTH 27TH STREET FOR A TWO YEAR TERM - CLERK read an ordinance, introduced by Leirion Gaylor Baird, accepting an Agreement between the City of Lincoln and Lobo's City Mex, Inc. For the lease of City owned property generally located at 344 North 27<sup>th</sup> Street for a two year term with the option to renew for four additional two year terms, the third time.

FELLERS Moved to Pass the ordinance as read.

Seconded by Eskridge. AYES: Emery, Eskridge, Fellers, NAYS: Camp, Christensen; ABSENT: Cook, Gaylor Baird.

DUE TO LACK OF MAJORITY VOTE: Bill No. 14-75 was held over for two weeks to 7/14/14.

#### **ORDINANCES - 1<sup>ST</sup> READING & RELATED RESOLUTIONS (as required)**

APPROVING THE PCE PHASE 2 REDEVELOPMENT AGREEMENT BETWEEN PCE, INC. AND THE CITY OF LINCOLN RELATING TO THE REDEVELOPMENT OF THE PROPERTIES GENERALLY LOCATED AT 1711, 1735 AND 1801 YOLANDE AVE. FOR CONSTRUCTION OF APPROXIMATELY 87,500 SQUARE FEET OF OFFICE, MANUFACTURING AND WAREHOUSE SPACE. (RELATED ITEMS: 14R-178, 14R-179, 14-78) (ACTION DATE: 7/21/14)

AMENDING THE FY 13/14 CIP TO AUTHORIZE AND APPROPRIATE \$1,426,000 IN TIF FUNDS FOR THE PCE - PHASE 2 PROJECT ON PROPERTY GENERALLY LOCATED AT 1711, 1735 AND 1901 YOLANDE AVE. (RELATED ITEMS: 14R-178, 14R-179, 14-78) (ACTION DATE: 7/21/14)

AUTHORIZING THE ISSUANCE OF PCE - PHASE 2 PROJECT TAX ALLOCATION BONDS IN AN AMOUNT NOT TO EXCEED \$1,250,000. (RELATED ITEMS: 14R-178, 14R-179, 14-78) - CLERK read an ordinance, introduced by Roy Christensen, 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 \$1,250,000 for the purpose of (1) paying the costs of acquiring, purchasing, constructing, reconstructing, improving, extending, rehabilitating, installing, equipping, furnishing and completing certain improvements within the PCE Redevelopment Project area, including acquiring any real estate and/or interests in real estate in connection therewith, 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.

APPROVING A PROPERTY PURCHASE AND SALE AGREEMENT BETWEEN THE CITY OF LINCOLN AND LINCOLN PUBLIC SCHOOLS TO SELL 25.73 ACRES OF JENSEN PARK PROPERTY FOR A NEW MIDDLE SCHOOL AND YMCA GENERALLY LOCATED AT THE SOUTHEAST CORNER OF 84TH STREET AND YANKEE HILL ROAD - CLERK read an ordinance, introduced by Roy Christensen, authorizing the sale of real property consisting of approximately 25.73 acres in Jensen Park at the southeast corner of 84<sup>th</sup> Street and Yankee Hill Road, Lincoln, Lancaster County, Nebraska, the first time.

APPROVING A CONDUIT SYSTEM LEASE AGREEMENT BETWEEN THE CITY OF LINCOLN AND UNITE PRIVATE NETWORKS LLC FOR THE USE OF SPACE IN THE CITY'S UNDERGROUND CONDUIT GENERALLY LOCATED AT 8TH AND R STREETS FOR A FIVE YEAR TERM - CLERK read the following ordinance, introduced by Roy Christensen, accepting and approving a Conduit Lease Agreement between the City of Lincoln and Unite Private Networks LLC for the use of space in the City's underground conduit generally located at 8<sup>th</sup> and R Street for a five year term, the first time.

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

APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE NEBRASKA DEPARTMENT OF ADMINISTRATIVE SERVICES AND THE CITY OF LINCOLN AND LANCASTER COUNTY FOR THE PURPOSE OF PROVIDING AND PROCURING PRINTING SERVICES AND SUBSEQUENT MAILING SERVICES FOR A FOUR YEAR TERM WITH THE OPTION TO RENEW FOR ONE ADDITIONAL FOUR YEAR TERM.

APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF LINCOLN AND LANCASTER COUNTY ON BEHALF OF LANCASTER COUNTY CORRECTIONS COMMUNITY SERVICE PROGRAM TO CONDUCT ROADSIDE LITTER PICKUP ALONG COUNTY ROADS BY INMATES AND TO PROVIDE SUPERVISION OF THE INMATES FOR A TERM OF JULY 1, 2014 THROUGH NO LONGER THAN DECEMBER 31, 2014.

APPROVING A CONTRACT AGREEMENT BETWEEN THE CITY OF LINCOLN, LANCASTER COUNTY, THE LINCOLN-LANCASTER COUNTY PUBLIC BUILDING COMMISSION, AND NCS, INC., NMC, INC. AND HAMILTON EQUIPMENT CO. FOR THE ANNUAL REQUIREMENTS FOR EQUIPMENT AND ACCESSORY RENTAL, PURSUANT TO BID NO. 14-137, FOR A THREE YEAR TERM WITH THE OPTION TO RENEW FOR ONE ADDITIONAL THREE YEAR TERM.

APPROVING A CONTRACT AGREEMENT BETWEEN THE CITY OF LINCOLN AND VEOLIA TECHNICAL SOLUTIONS, LLC TO PROVIDE WASTE DISPOSAL FOR THE LINCOLN LANCASTER COUNTY HEALTH DEPARTMENT, THROUGH COOPERATIVE PURCHASING WITH THE UNIVERSITY OF NEBRASKA WASTE DISPOSAL CONTRACT, FOR A TWO YEAR TERM WITH THE OPTION TO RENEW FOR THREE ADDITIONAL ONE YEAR TERMS.

**OPEN MICROPHONE**

Jane Svoboda, no address given, came forward to share her thoughts on various issues.  
This matter was taken under advisement.

David Begley, attorney from Omaha, NE, no address given, came forward to propose that the City of Lincoln name the new P Street plaza space after former Vice President and Nebraska native, Dick Cheney.

This matter was taken under advisement.

Jane Kinsey, Watchdogs of Lincoln Government, 6307 Hawkins Bend, came forward to state that enough agendas should be provided for all attendees at City Council meetings. In respect for people's time, meetings should be managed better and item order should not be changed. It is also an infringement upon First Amendment rights to only offer Open Microphone certain meetings, and not every meeting.

This matter was taken under advisement.

Pat Sheers, no address given, came forward to state that when it is known in advance that the City Council meeting will be long, sign-up sheets are provided for speakers. Speakers who use StarTran are accommodated and speak early.

This matter was taken under advisement.

**ADJOURNMENT**

**6:53 P.M.**

CAMP Moved to adjourn the City Council Meeting of June 30, 2014.  
Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Emery, Eskridge, Fellers; NAYS: None; ABSENT: Cook, Gaylor Baird.

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Teresa J. Meier, City Clerk

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Amy Hana Huffman, Office Specialist